

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

Meeting No. 28
October 8, 2021

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

1.0 CALL TO ORDER/ ROLL CALL

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

Members Present:

C/CAG Members:

Diane Papan, Maryann Moise Derwin, Alicia Aguirre

SMCTA Members:

Rico Medina, Emily Beach, Don Horsley

Members Absent:

None.

Staff Present:

Sean Charpentier – Executive Council

Carter Mau – Executive Council

Mima Guilles – Clerk

Tim Fox – Legal Counsel

Van Ocampo – C/CAG staff supporting SMCEL-JPA

April Chan, Derek Hansel, Robert Casumbal – SMCTA staff supporting SMCEL-JPA

Lacy Vong, Matt Click – HNTB

Officer Jenelle Machado- CHP

Sergeant Sean Wilkenfeld-CHP

Other members of staff and the public were in attendance.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

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

- 3.0 Review and approval of Resolution 21-15 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 Medina MOVED to approve item 3.0. Director Aguirre SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

4.0 PUBLIC COMMENT

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

Mima Guilles, Clerk of the Board stated 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. 27 dated September 10, 2021. APPROVED

- 5.2 Accept the Sources and Uses of Funds for the FY21 Period Ending June 30, 2021. APPROVED

- 5.3 Accept the Sources and Uses of Funds for the FY22 Period Ending August 31, 2021. APPROVED

Director Horsley MOVED to approve the consent agenda with minor revisions on the meeting minutes, Director Beach departed at 10:35am and not 10:05am. Director Beach SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

6.0 REGULAR AGENDA

- 6.1 Review and approval of Resolution SMCEL 21-16 approving the License Agreements between the City of Menlo Park and SMCEL-JPA, and the City of East Palo Alto and SMCEL-JPA for Express Lanes Toll facilities within City Rights of Way. APPROVED

Van Ocampo, C/CAG staff gave a brief presentation on the License Agreements between the City of Menlo Park and SMCEL-JPA, and the City of East Palo Alto and SMCEL-JPA for Express Lanes Toll facilities within City Rights of Way.

Director Aguirre MOVED to approve item 6.1. Director Medina SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

- 6.2 Review and approval of Resolution SMCEL 21-17 approving the TA Vendor Contract Supplement #3 with Gray-Bowen-Scott (GBS) not to exceed \$165,000 to continue to provide services to support development and execution of various operating, maintenance and licensing agreements for the SMCEL-JPA in FY 2022.
APPROVED

April Chan gave a brief presentation on the TA Vendor Contract Supplement #3 with Gray-Bowen-Scott (GBS) not to exceed \$165,000 to continue to provide services to support development and execution of various operating, maintenance and licensing agreements for the SMCEL-JPA in FY 2022.

Chair Papan asked if the \$165K in addition to the \$114 amendment.

April said yes, the \$114K was through the end of June 30th 2021, this one is from July 1, 2021 through June 30, 2022.

Director Beach MOVED to approve item 6.2. Director Derwin SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

- 6.3 Review and Approval of Resolution SMCEL 21-18 authorizing the negotiation and execution of a service contract with the California Highway Patrol (CHP) for an initial period of one year commencing upon the opening of the first segment of the 101 Express Lanes in San Mateo County for an amount not to exceed \$200,000.
APPROVED

Lacy Vong gave a presentation on authorizing the negotiation and execution of a service contract with the California Highway Patrol (CHP) for an initial period of one year commencing upon the opening of the first segment of the 101 Express Lanes in San Mateo County for an amount not to exceed \$200,000.

Director Beach asked if this contract that is more expensive then we're going to need?

Lacy said it's for the one year and wanted it to be inclusive if we were going to provide services for the southern segment. They plan to do a kickoff and training to talk about what is in the area of service for that first year. We could go back with CHP before it's finalized to clarify the terms. We are charged only for services provided up to the services amount. The contract will give flexibility to direct if we wanted additional enforcement early on.

Director Beach added that in her observance of the new 680 Express Lanes, there wasn't a lot of enforcement out there. It occurred to her that the importance of a physical presence of CHP and the next level education component.

Director Horsley asked about the CHP's experience in other segments?

Sergeant Sean Wilkenfeld said that the citations that are issued the money is split up between the Courts, County and State. CHP makes no money off the citations they issue, the funds are set through the court system.

Chair Papan asked which percentage comes back to the JPA.

Derek Hansel answered zero. He said we will receive violation revenue that come through BAIFA and BATA. The revenue generated from citations issued by CHP will not be coming back to the JPA.

Director Horsley chimed in and said the County doesn't get much revenue in citation because of Court funding and goes to State. However, some cities do get some if the citation was written in their city.

Sergeant Wilkenfeld said that is correct. It would depend, if the County, incorporated or the City if it was written within a City limits.

Director Aguirre MOVED to approve item 6.3. Director Medina SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

7.0 REPORTS

a) Chairperson Report.

None.

b) Member Communication.

Director Medina reported out that during their Transportation Authority meeting yesterday, a public speaker has commented that increasing lanes on the 101 through this process was not the right thing to do.

Director Beach said they have invited the individual to come and participate in these meeting moving forward, and noted that the Transit District and Transportation Authority is hosting a webinar roundtable on the future of autonomous vehicles in San Mateo County on November 17th 9am-12pm.

c) Executive Council Report - Executive Council Verbal Report.

Sean Charpentier reported out that the November Board meeting will be a very busy meeting that will include approval of many of our foundational operating and maintenance agreements in preparation for the opening. We are getting comments on the managed lane project north of I-380 and we do encourage those who comment to become engaged in the process. Staff can send the Directors standard language to send to people who comment to ensure that they are on the interested parties list for the release of future environmental documents.

d) Policy/Program Manager Report.

Matt Click gave an update that earlier in the week the JPA has participated in the toll policy discount advisory group that MTC is hosting regarding the proposed I-880 Express Lanes discount program that they are going to pilot next year. They have done 9 focus groups and had a town hall meeting. MTC has landed on a 50% low income discount inside the I-880 Express Lanes. If you are HOV 2+ and a member low income pilot program, you will get a 75% discount off of the full freight toll. The income eligibility level will be 200% of the Federal Poverty level, or \$26,000 for an individual. The pilot is planning to start in the second quarter of next year. On the last meeting Chair Papan asked about potential grant opportunities for equity. We are doing research at both the federal and state level and depending on delays, we should be prepared by November latest December. Also, HNTB has been invited to present to the CTC and will participate in a presentation on October 14, 2021.

8.0 WRITTEN COMMUNICATIONS

None.

9.0 NEXT REGULAR MEETING

November 12, 2021

10.0 ADJOURNMENT – 9:36 a.m.