

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

Meeting No. 2

DATE: Friday, July 12, 2019
TIME: 9:00 a.m.
PLACE: San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA
TELECONFERENCE LOCATION:
3543 Lower Honoapiilani Rd
Lahaina, HI 96761
Room G202

Board of Directors: Alicia Aguirre (Chair), Don Horsley (Vice Chair), Emily Beach,
Maureen Freschet, Doug Kim, and Diane Papan

1.0 CALL TO ORDER/ ROLL CALL

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT

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

4.0 APPROVAL OF CONSENT AGENDA

This item is to set the final consent and regular agenda, and to approve the items listed on the consent agenda. All items on the consent agenda are approved by one action. There will be no separate discussion on these items unless members of the Board, staff or public request specific items to be removed for separate action.

- a) Approval of the minutes of Board of Directors regular business meeting No. 1 dated June 6, 2019. p. 1

- b) Receive information on Project Timeline and JPA Board Actions Required for the US 101 Express Lanes project. p. 5

5.0 REGULAR AGENDA

- a) Receive an update on the process to obtain express lane authority approval by the California Transportation Commission. INFORMATION p. 6
- b) Appoint an ad-hoc advisory committee to negotiate and advise the Board on agreements with the City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo County Transportation Authority (TA) for funding advances and staffing. ACTION p. 7
- c) Public Hearing: Approval of Resolution SMCEL 19-03 adopting the Fiscal Year 2020 JPA Budget in the amount of \$1,744,911. ACTION p. 8
- d) Authorize the Executive Council to negotiate and execute a Memorandum of Understanding (MOU) with the Bay Area Infrastructure Financing Authority (BAIFA) regarding BAIFA's expenditure of \$3 million on toll system design for the San Mateo County Express Lanes. ACTION p. 12

6.0 REPORTS

- a) Chairperson Report.
- b) Member Communication.
- c) Executive Council Report.

7.0 WRITTEN COMMUNICATIONS

None.

8.0 NEXT REGULAR MEETING

August 9, 2019

ADJOURN

PUBLIC NOTICING: All notices of San Mateo County Express Lanes Joint Powers Authority regular Board meetings, standing committee meetings, and special meetings will be posted at the San Mateo County Transit District Office, 1250 San Carlos Ave., San Carlos, CA.

PUBLIC RECORDS: Public records that relate to any item on the open session agenda for a regular Board meeting, standing committee meeting, or special meeting are available for public inspection. Those public records that are distributed less than 72 hours prior to a regular Board meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members, of the Board. The Board has designated the location of XXXXX, for the purpose of making public records available for inspection.

PUBLIC PARTICIPATION: Public comment is limited to two minutes per speaker. Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Mima Guilles at (650) 599-1406, five working days prior to the meeting date.

If you have any questions about this agenda, please contact: Mima Guilles (650) 599-1406

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

(Draft)
Meeting No. 1

DATE: Thursday, June 6, 2019
TIME: 3:00 P.M.
PLACE: San Mateo County Transit District Office
1250 San Carlos Avenue, Second Floor Auditorium
San Carlos, CA

(Board of Directors: A. Aguirre, E. Beach, M. Freschet, D. Horsley, D. Kim, D. Papan)

1.0 CALL TO ORDER/ ROLL CALL

Director Horsley called the meeting to order at 3:02 p.m. Roll call was taken.

Members Present:

C/CAG members: Alicia Aguirre, Diane Papan, Doug Kim
SMCTA members: Don Horsley, Emily Beach, Maureen Freschet

Members Absent: None

Staff Present:

Sandy Wong – Executive Council
Jim Hartnett – Executive Council
Mima Guilles – Secretary
Justin Mates – Legal Counsel
Jean Higaki, Van Ocampo – C/CAG staff
April Chan, Joe Hurley, Derek Hansel, Ladi Millard-Olmeda – SMCTA staff

Public Members:

John Beiers – Chief County Counsel
Drew – Public

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT

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

Public member Drew suggested that the Board consider changing the public comment limit to three minutes per speaker.

4.0 ELECTION OF OFFICERS

- a) Election of a Chair and a Vice Chair to serve one-year terms.

Director Beach **MOVED** to nominate Director Aguirre as Chair of the Board. Director Freschet **SECONED. MOTION CARRIED 6-0-0**

Director Aguirre **MOVED** to nominate Director Horsley as Vice Chair of the Board. Member Papan **SECONED. MOTION CARRIED 6-0-0**

- b) Appointment of Secretary.

Vice Chair Horsley **MOVED** to appoint the C/CAG Clerk as Secretary of the Board. Chair Aguirre **SECONED. MOTION CARRIED 6-0-0**

5.0 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.

Vice Chair Horsley **MOVED** approval of the item 5(a) and 5(b). Director Freschet **SECONDED. MOTION CARRIED 6-0-0**

- a) Approval of regular board meeting calendar for 2019.
- b) Authorization to file the Joint Exercise Powers Agreement as required by law.

6.0 REGULAR AGENDA

- a) Review and approval of Resolution SMCEL 19-01 authorizing Board of Directors compensation and expense reimbursement.

Ms. Wong, Executive Council, requested the Board to consider setting a stipend for board members attending each board meeting. She cited the practice of SMCTA Board members being entitled to \$100 for attending SMCTA Board meetings, to which Mr. Hartnett, Executive Council, affirmed. Ms. Wong further stated that staff will present recommendation on Board of Directors expense reimbursement policy for at a future meeting.

Vice Chair Horsley **MOVED** to approve Resolution SMCEL 19-01 approving that board members are entitled to receive a stipend of \$100 for attending each Board meeting. Director Freschet **SECONDED. MOTION CARRIED 6-0-0**

- b) Approval of Conflict-of-interest code.

Ms. Wong, Executive Council, introduced San Mateo County Counsel Justin Mates,

who will serve as Legal Counsel to the SMELJPA upon approval of Agenda Item 6(c). Mr. Mates presented draft Conflict-of-interest code as shown in the meeting packet, along with the following corrections:

- 1) Pages 13 and 14 of the packet: “San Mateo County Transit Authority” should be replaced with “San Mateo County Transit District”.
- 2) Page 13 of the packet: “San Mateo County Transit Authority Executive Director” should be replaced with “San Mateo County Transit District General Manager/CEO”.

Director Horsley **MOVED** to approve the Conflict-of-Interest Code of Express Lanes JPA along with the corrections. Director Papan **SECONDED. MOTION CARRIED 6-0-0.**

- c) Review and adoption of Resolution SMCEL 19-02 authorizing the Express Lanes Joint Powers Authority Chair to execute the Agreement between the County Counsel of the County of San Mateo and the Express Lanes Joint Powers Authority.

In accordance with the Joint Exercise of Powers Agreement for the San Mateo County Express Lanes, the SMCEL-JPA is to contract with the San Mateo County Counsel’s Office for legal support. The proposed agreement between the County Counsel and the Express Lanes JPA is for \$50,000 from June 1, 2019 through June 30, 2010.

John Beiers, Chief County Counsel, thanks the SMCEL-JPA Board for the opportunity to provide legal services.

Director Horsley **MOVED** to approve item 6(c). Director Papan **SECONDED. MOTION CARRIED 6-0-0**

- d) Review and adoption of Resolution SMCEL 19-03 authorizing the Express Lanes Joint Powers Authority Chair to execute the Reimbursement Agreement between the Express Lanes Joint Powers Authority and California Transportation Commission for Reimbursement of expenses related to the review of the San Mateo County Toll Facility Application.

Ms. Chan, Executive Council, reported that staff has been working with the California Transportation Commission (CTC) staff on a draft application to seek authority to operate the express lanes. The schedule is to submit final application by July 1, 2019 for the Commission to consider approval at their August 2019 regular meeting. The CTC requires reimbursement for review costs, estimated at between \$60,000 to \$100,000. The draft reimbursement agreement is in a form as provided by the CTC.

Director Papan **MOVED** to approve item 6(d). Director Horsley **SECONDED. MOTION CARRIED 6-0-0**

- e) Receive information on:

1. Update on the development of the Fiscal Year 2020 JPA Budget.

Ms. Chan provided a proposed framework on the development of the Fiscal Year 2020 JPA Budget. She stated staff will present a recommended budget for approval at the July 12, 2019 meeting.

2. Procurement Process for the San Mateo County Express Lanes Joint Powers Authority (JPA) Policy/Program Manager (PPM) services.

Ms. Higaki provided an update on the procurement process to retain Policy/Program Manager services. Staff is currently preparing a draft Request for Proposal to be released for approximately three weeks. A review panel will be put in place with staff from C/CAG, SMCTA, and other toll operators in the Bay Area to review proposals. It is anticipated a recommendation will be presented to the Board in September/October.

7.0 REPORTS

- a) Chairperson Report – Chair Aguirre requested for a timeline and projected target dates on key tasks and milestones of the project.
- b) Member Report – None.
- c) Committee Report – None.
- d) Executive Council Report – None.

8.0 WRITTEN COMMUNICATIONS

9.0 NEXT REGULAR MEETING

The next meeting is scheduled for July 12, 2019. Director Beach mentioned she has a conflict for the July meeting. Chair Aguirre mentioned she has a conflict for the September meeting.

10.0 ADJOURN

The meeting was adjourned at 3:35 PM.

**San Mateo County Express Lanes Joint Powers Authority
AGENDA REPORT**

Date: July 12, 2019
To: San Mateo County Express Lanes Joint Powers Authority (JPA) Board of Directors
From: Executive Council
Subject: Receive information on project timeline and JPA Board actions required for the US 101 Express Lanes project.

(For further information, contact Sandy Wong at 650-599-1409)

RECOMMENDATION

That the San Mateo County Express Lanes Joint Powers Authority (JPA) Board of Directors receive information on project timeline and JPA Board actions required for the US 101 Express Lanes project.

Staff will present information to the Board at the July 12, 2019 meeting.

FISCAL IMPACT

None

SOURCE OF FUNDS

N/A

BACKGROUND

ATTACHMENTS

None

**San Mateo County Express Lanes Joint Powers Authority
AGENDA REPORT**

Date: July 12, 2019
To: San Mateo County Express Lanes Joint Powers Authority (JPA) Board of Directors
From: Executive Council
Subject: Receive an update on the process to obtain express lane authority approval by the California Transportation Commission

(For further information, contact April Chan at 650-508-6228)

RECOMMENDATION

That the San Mateo County Express Lanes Joint Powers Authority (JPA) Board of Directors Receive an update on the process to obtain express lane authority approval by the California Transportation Commission.

Staff will present information to the Board at the July 12, 2019 meeting.

FISCAL IMPACT

None

SOURCE OF FUNDS

N/A

BACKGROUND

On June 28, 2019, the JPA Executive Council has submitted an application to the California Transportation Commission (CTC) for Toll Facility for the US 101 Express Lane project from the San Mateo/Santa Clara County border to Interstate 380.

A public hearing by the California Transportation Commission is tentatively scheduled for July 25, 2019 at 4:00 PM in San Mateo County. Staff will provide further information on the CTC approval process.

ATTACHMENTS

None

**San Mateo County Express Lanes Joint Powers Authority
AGENDA REPORT**

Date: July 12, 2019

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

From: Executive Council

Subject: Appointment of an ad-hoc committee to negotiate and advise the Board on agreements with the City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo County Transportation Authority (TA) for funding and staffing

(For further information, contact Sandy Wong at 650-599-1409)

RECOMMENDATION

That the San Mateo County Express Lanes Joint Powers Authority (JPA) Board of Directors appoint an ad-hoc committee to advise the Board in the negotiation of agreements with the City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo County Transportation Authority (TA) for funding and staffing.

FISCAL IMPACT

None

SOURCE OF FUNDS

N/A

BACKGROUND

In the early part of Fiscal Year 2020, the JPA will need to negotiate and execute agreements with each of the JPA members, C/CAG and the TA, to provide required staffing and support services to the JPA as well as certain advances of funds to pay for the JPA's operations and contracts until such time as the JPA begins to receive toll revenue. Staff recommends that the JPA Board approve the formation of an ad-hoc advisory committee to oversee negotiations and advise the JPA Board on the anticipated agreements with C/CAG and the TA for funding and staffing. All such agreements would be presented to the full Board for final approval. To ensure a balance of perspectives on the ad hoc advisory committee, the committee may be comprised of one volunteer member from the C/CAG appointees and one volunteer member from the TA appointees to the JPA Board.

ATTACHMENTS

None

**San Mateo County Express Lanes Joint Powers Authority
AGENDA REPORT**

Date: July 12, 2019
To: San Mateo County Express Lanes Joint Powers Authority (JPA) Board of Directors
From: Executive Council
Subject: Public Hearing: Approval of Resolution SMCEL 19-03 adopting the Fiscal Year 2020 JPA Budget

(For further information, contact April Chan at 650-508-6228)

RECOMMENDATION

Staff recommends the Board conduct public hearing and approve Resolution SMCEL 19-03 adopting the proposed Fiscal Year (FY) 2020 Budget of \$1,744,911.

FISCAL IMPACT

Adoption of the FY2020 Budget would provide the JPA budget authority for \$1,744,911 in anticipated expenditures in the upcoming fiscal year.

SOURCE OF FUNDS

SMCTA and CCAG local funds to be advanced to the JPA and repaid after the San Mateo express lanes generate revenues.

BACKGROUND

In the development of the Fiscal Year (FY) 2020 Proposed Budget, staff focused on the following tasks and priorities in the upcoming fiscal year:

- Completion of the California Transportation Commission (CTC) toll authority application;
- Approval of contracts for a Policy/Program Manager and consultants to conduct a US 101 Express Lanes Equity Study, as well as before/after traffic studies.
- Marketing and communication activities including website development, branding materials and hosting promotional events.

Sources of Funds (line 2):

The source of funds will be advanced by the TA and CCAG to be repaid upon the generation of toll funds from the 101 Managed Lanes. Terms and conditions of such advance are being negotiated, and it is anticipated that the SMCTA and CCAG boards will consider the advance of funds at their August and September 2019 meetings respectively, and these terms and conditions will be presented to the JPA Board at the September JPA meeting.

Uses of Funds:

Staff support (line 5)

The staff support budget of \$610,276 includes staff wages and benefits to administer the JPA. The total of 2.72 full time equivalents is made up of time from City/County Association of Governments (C/CAG) and San Mateo County Transit District (District) staff.

Administrative Overhead (line 6)

Administrative overhead cost of \$53,635 reflects financial system support and other agency overhead costs to the JPA. District currently uses a simplified methodology of determining this cost, which is recommended by the District's internal cost allocation consultant.

Business Travel (line 7)

This budget of \$3,000 is for meeting travel and expenses. Business travel includes meeting attendance in and around the region regarding express lanes business, as well as meetings with the State, such as California Department of Transportation (Caltrans) and the California Transportation Commission (CTC).

Office Supplies (line 8)

This budget of \$3,000 is for board meeting supplies and expenses.

Printing and Information Services (line 9)

This budget of \$5,000 is for the cost of printing packets.

Legal Services (line 10)

The requested budget of \$50,000 is for the contracted legal services provided by the San Mateo County Counsel Office.

Consultant (line 11)

The budget of \$880,000 is to support consulting services for the following: program/policy management, equity study, part 1 of a "before/after study" required by CTC to assess traffic conditions prior to the start of express lanes operations, assistance with California Transportation Commission (CTC) application, as well as branding and website costs for the JPA.

Miscellaneous (line 12)

The budget of \$140,000 is for associated with CTC's review of the JPA toll authority application, as well as miscellaneous costs associated event hosting and other potential unanticipated costs. This line also includes compensation and expense reimbursement to the Board.

ATTACHMENTS

1. Resolution SMCEL 19-03
2. FY2020 Proposed JPA Budget.

RESOLUTION SMCEL 19-03

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SAN MATEO COUNTY EXPRESS LANES JOINT POWERS AUTHORITY (JPA) ADOPTING THE JPA BUDGET FOR FISCAL YEAR 2020 IN THE AMOUNT OF \$1,744,911

BE IT RESOLVED by the Board of Directors of the San Mateo County Express Lanes Joint Powers Authority (JPA); that

WHEREAS, Section 131265(a) of the California Public Utilities Code requires the 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 July 12th, 2019; and

WHEREAS, the Executive Council has prepared and presented to the Board of Directors the proposed budget of \$1,744,911 for fiscal year 2020 which includes: Staff Support in the amount of \$610,276, Administrative Overhead in the amount of \$53,635, Business Travel in the amount of \$3,000, Office Supplies in the amount of \$3,000, Printing and information services in the amount of \$5,000, Legal Services in the amount of \$50,000, Consultants in the amount of \$880,000 and Miscellaneous expenditures in the amount of \$140,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPA adopts the budget for Fiscal Year 2020, a copy of which is attached and incorporated herein as Attachment A.

PASSED, APPROVED, AND ADOPTED, THIS 12TH DAY OF JULY 2019.

Alicia C. Aguirre, Chair,
San Mateo County Express Lanes Joint Powers Authority

San Mateo County Express Lanes JPA
FY2020 Proposed Budget

1	SOURCES OF FUNDS		1
2	Advance from San Mateo County Transportation Authority and	<u>1,744,911</u>	2
3	City/County Association of Governments of San Mateo County		3
4	USES OF FUNDS		4
5	Staff Support	610,276	5
6	Administrative Overhead	53,635	6
7	Business Travel	3,000	7
8	Office Supplies	3,000	8
9	Printing and Information Svcs	5,000	9
10	Legal Services	50,000	10
11	Consultant	880,000	11
12	Miscellaneous	<u>140,000</u>	12
13	TOTAL USES OF FUNDS	<u><u>1,744,911</u></u>	13

**San Mateo County Express Lanes Joint Powers Authority
AGENDA REPORT**

Date: July 12, 2019

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

From: Executive Council

Subject: Authorize the Executive Council to negotiate and execute a Memorandum of Understanding (MOU) with the Bay Area Infrastructure Financing Authority (BAIFA) regarding BAIFA's expenditure of \$3 million on toll system design for the San Mateo County Express Lanes

(For further information, contact Sandy Wong at 650-599-1409)

RECOMMENDATION

Authorize the Executive Council to negotiate and execute a Memorandum of Understanding (MOU) with the Bay Area Infrastructure Financing Authority (BAIFA) regarding BAIFA's expenditure of \$3 million on toll system design for the San Mateo County Express Lanes.

FISCAL IMPACT

None.

SOURCE OF FUNDS

\$3 million for design of the toll system is a part of the overall Metropolitan Transportation Commission (MTC) commitment of \$95 million to the San Mateo US 101 Express Lanes project.

BACKGROUND

Staff will present information to the Board at the July 12, 2019 meeting.

ATTACHMENTS

None.