

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

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,

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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.

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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.