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AGENDA

Congestion Management & Environmental Quality (CMEQ) Committee

Date: Monday, November 26, 2018
Time: 3:00 p.m.
Place: San Mateo City Hall, Conference Room C
 330 West 20th Avenue, San Mateo, California 94403

- | | | | |
|-----|--|-------------------------------------|---------------|
| 1. | Public comment on items not on the agenda. | Presentations are limited to 3 mins | |
| 2. | Issues from the November 2018 C/CAG Board meeting: | Information (Higaki) | No Materials |
| | <ul style="list-style-type: none"> • Approved – San Mateo Countywide Transportation Plan 2040 (SMCPTP 2040) Follow-Up Action Plan • Approved – Contract Work Authorization between C/CAG and Pacific Gas and Electric Company for the San Mateo County Energy Watch calendar year 2019 program in an amount of \$318,808 • Approved – Agreement with County for Regionally Integrated Climate Action Planning Suite (RICAPS) project for 2019 for \$50,000 • Approved – Appointment of Richard Chiu from Daly City to the CMP TAC and Stormwater Committee | | |
| 3. | Approval of minutes of October 29, 2018 meeting | Action (Garbarino) | Pages 1 – 5 |
| 4. | Receive a presentation on the Draft San Mateo County Transportation Programs Climate Impact Report | Action (Hoang) | Page 6 – 7 |
| 5. | Receive a presentation on the San Mateo County Safe Routes to School FY 2017-18 Annual Report | Information (Muse) | Pages 8 |
| 6. | Update on San Mateo County Energy Watch Program | Information (Springer) | Pages 9 – 11 |
| 7. | Receive a presentation and provide comments on the US 101 express lanes operator options. | Action
(Wong/ Higaki) | Pages 12 – 15 |
| 8. | Executive Director Report | Information (Wong) | No Materials |
| 9. | Member comments and announcements | Information (Garbarino) | |
| 10. | Adjournment and establishment of next meeting date:
January 28, 2019 | Action (Garbarino) | |

PUBLIC NOTICING: All notices of C/CAG 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, and on C/CAG’s website at: <http://www.ccag.ca.gov>.

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 City/County Association of Governments of San Mateo County (C/CAG), located at 555 County Center, 5th Floor, Redwood City, CA 94063, for the purpose of making public records available for inspection. Such public records are also available on C/CAG’s website at: <http://www.ccag.ca.gov>.



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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 C/CAG staff: Jeff Lacap, 650-599-1455

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS COMMITTEE ON CONGESTION
MANAGEMENT AND ENVIRONMENTAL QUALITY (CMEQ)**

**MINUTES
MEETING OF October 29, 2018**

The meeting was called to order by Chair Garbarino in Conference Room C at City Hall of San Mateo at 3:15 p.m. Attendance sheet is attached.

1. Public comment on items not on the agenda.

None.

2. Issues from the October 2018 C/CAG Board meeting

Jeff Lacap, C/CAG staff, provided updates on items that were previously brought to the CMEQ committee and subsequently heard by the C/CAG Board.

3. Approval of minutes of September 24, 2018 meeting (Action)

Motion – Committee member Koelling/ 2nd Committee member O’Connell: To approve the minutes of the September 24, 2018 CMEQ meeting. Motion passed unanimously (9-0).

4. Review and approval of the 2019 CMEQ meeting calendar (Action)

Motion – Committee member Bonilla/ 2nd Committee member O’Connell: To approve the 2019 CMEQ meeting calendar. Motion passed unanimously (9-0).

5. Receive presentation on Transportation Projects Mapping Tool posted on the C/CAG website (Information)

Jeff Lacap, C/CAG staff, presented a mapping tool on the C/CAG website to inform members of the public, elected officials, and other interested parties about the various transportation projects funded by C/CAG or in partnership with other agencies.

Member Beach asked if projects from additional funding programs administered by the San Mateo County Transportation Authority can be added to the map. Staff will inquire with the TA for more information.

6. Review and recommend approval of the Draft Final San Mateo Countywide Transportation Plan 2040 (SMCTP 2040) Follow-Up Action Plan (Action)

Sara Muse, C/CAG staff, introduced Kelsey Rugani from Kearns and West to discuss the action plan that was developed in the past year with a twenty-member working group to provide next steps for implementing the San Mateo County Transportation Plan (CTP) 2040. The action plan will serve as a guiding tool for C/CAG and its member agencies to ensure appropriate modifications are made to the next CTP update. The action plan is intended to be a living document that can be modified, as necessary, with regular collaboration from the SMCTP 2040 Implementation Working Group, city staff, transit operators, and other stakeholder groups.

Kelsey briefly discussed the first five of the six priorities within the action plan:

- Priority #1: Develop a Baseline for Measurement
- Priority #2: Identify a Process for Measuring Progress Toward SMCTP 2040 Goals
- Priority #3: Consider Equity in Funding Decisions
- Priority #4: Provide Opportunities for Involvement in SMCTP 2040 Implementation
- Priority #5: Continue Partnerships as an Opportunity to Fill Funding Gaps

For Priority #6: Piloting the SMCTP 2040 Follow-Up Action Plan, there are three key questions to consider when piloting the action plan:

- *Person throughput*: Are people moving through the County sustainably, efficiently, and cost effectively across all transportation modes?
- *Safety*: Are people safely moving through, within, out of, and into the County no matter what transportation mode they use?
- *Accessibility*: Do people have reliable, convenient, and access to multiple transportation options?

Priority #6 will require a convening of the SMCTP 2040 Implementation Working Group, identifying 3 to 5 pilot areas to the apply the action plan priorities, apply the action plan priorities, and evaluate performance measures, action plan priorities, and make recommendations for the next SMCTP 2040 update.

Members had questions about what kind of updates and how many updates will be done to track the progress of the action plan and proposed performance measures found within the report. Members also had minor editorial and grammatical comments. Member Beach commented that projects not be only measured with the proposed performance measures, but future projects should also be shaped to accomplish the vision and goals found in the action plan. Staff responded that the action plan is also meant to be a guiding tool for evaluating future projects.

Motion – Committee member O’Connell/ 2nd Committee member Bonilla: To approve the Draft Final San Mateo Countywide Transportation Plan 2040 (SMCTP 2040) Follow-Up Action Plan. Motion passed unanimously (9-0).

7. Provide input on the framework for the 2019 Congestion Management Program Monitoring and Proposed Complementary Report (Information)

Jeff Lacap, C/CAG staff, provided an update the 2019 Congestion Management Program (CMP). C/CAG monitors the performance of the CMP roadway system and conduct other activities to determine compliance with the CMP. The CMP roadway system that is monitored includes 16 intersections and 53 roadway segments throughout the county. The last monitoring update was performed in 2017.

In relation to SB 743, a law that changes transportation impact analysis as part of CEQA compliance. These changes will include elimination of auto delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts for land use projects and plans in California.

CMP legislation still requires the use of the LOS metric, but staff understands there may be changes to the CMP performance measures. In anticipation of new CMP performance measures, staff is recommending a complementary report to the CMP which summarizes the current state of the transportation system in San Mateo county. The report is proposed to show the current performance of roadways and transit, and the bicycle and pedestrian networks.

Committee members had questions about the difference between LOS and VMT, how bicycles and pedestrian are counted at an intersection, and if bicycle use amongst senior citizens can be looked at in the report.

No formal action was taken.

8. Receive a briefing on the managed lane information gathering field trip to LA Metro and receive information on the US 101 Managed Lane project (Information)

Due to a scheduling conflict, item was moved up and presented after Item 5.

Jean Higaki, C/CAG staff, reported on the information gathering field trip to LA Metro in Los Angeles attended by C/CAG, San Mateo TA, and San Francisco TA Staff on October 12th. The group was given a tour of the express lane facilities on the I-110 and I-10 freeway and the operations center. To date, the express lanes has generated \$50 million in net revenue (after set asides for operations and maintenance, transit operations, and Caltrans maintenance) that is re-invested back in the corridor improvements through bus stop and station improvements, bike lockers, and first and last mile bicycle share programs. LA Metro is currently piloting a video occupancy detection system to detect toll violators to help CHP with enforcement.

LA Metro reported to the group that 42 million express lane trips are taken each year, which equates to approximately 115,000 trips per day. 30% of the trips are high occupancy vehicles (HOV) 3+/clean air vehicles, 26% of the trips are HOV 2+, and 44% of the trips are single occupancy vehicles.

The day concluded with discussion from key LA Metro staff members about the challenges faced at the project's conception and lessons learned, the importance of political champions in making the project a success, and the importance of public education and customer service after the express lane is opened. LA Metro stated that express lane has an 80-90% satisfaction rate in terms of speed and travel time according to a survey conducted this year and plans to expand express lane facilities to other freeways in LA county. Jean also reported on various transit and carpool incentive programs related to the express lane, a low-income assistance program offered, and a discussion of the perceived notion of fairness and tolling.

Member Beach, who also attended the trip, conveyed that the trip was incredibly valuable and encouraged committee members to attend the joint study session of the C/CAG and TA Board in November on a more focused discussion on the proposed express lanes in San Mateo County.

9. Executive Director Report (Information)

C/CAG Executive Director Sandy Wong reported that the joint C/CAG and SMCTA US-101 Managed Lanes workshop is scheduled for Friday, November 16th at 1pm at the SamTrans Auditorium in San Carlos.

Sandy also provided an update to the draft proposal by Countywide Water Coordination Committee for a dedicated agency to handle flood control, sea level rise, and larger stormwater management projects. The draft proposal, which will include a discussion on the governance structure, will be presented to the city staff and the Countywide Water Coordination Committee Staff Advisory Team for feedback in November and to the C/CAG Board and County Board of Supervisors in January. There will be workshops for city staff and elected officials scheduled for November 14th in Brisbane and December 3rd in San Mateo.

Lastly, Sandy provided more context to SB 743 and the implementation of analyzing transportation roadway project using VMT. C/CAG Staff, Jeff Lacap, clarified that local agencies still can use LOS for local policies and transportation roadway projects.

10. Member comments and announcements (Information)

Member Alicia Aguirre provided information from MTC of the top congested freeway locations in the Bay Area and a map depicting where people in America vote or don't vote. She is also representing San Mateo County on the selection committee to find a new MTC Executive Director.

11. Adjournment and establishment of next meeting date

The meeting adjourned at 4:23 pm.
The next regular meeting was scheduled for November 26, 2018.

2018 C/CAG Congestion Management & Environmental Quality (CMEQ) Committee Attendance Report

Agency	Representative	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Metropolitan Transportation Commission	Alicia Aguirre	x					x			x	x		
City of Redwood City	Shelly Masur	x		x	x								
Town of Atherton	Elizabeth Lewis			x	x		x						
City of San Bruno	Irene O'Connell	x		x	x						x		
City of Burlingame	Emily Beach	x		x	x		x			x	x		
Environmental Community	Lennie Roberts	x		x			x			x			
City of Pacifica	Mike O'Neill	x		x	x		x			x			
City of South San Francisco	Richard Garbarino			x	x		x				x		
Public	Josh Powell	x			x		x			x	x		
City of Millbrae	Wayne Lee			x	x		x (3:20pm)			x	x		
City of San Mateo	Rick Bonilla	x		x	x		x			x	x		
City of Pacifica	John Keener	x		x	x		x				x		
Agencies with Transportation Interests	Adina Levin	x		x (3:19pm)			x			x (arrived 3:23pm)			
Business Community	Linda Koelling	x		x	x					x (left 4:27pm)	x		
Peninsula Corridor Joint Powers Board (Caltrain)	Dave Pine			NA	NA		NA			NA	NA		
San Mateo County Transit District (SamTrans)	Pete Ratto	x		x (3:20pm)	x		x				x		

Staff and guests in attendance for the October 29, 2018 CMEQ Meeting:

Sandy Wong, Jean Higaki, Jeff Lacap, Sara Muse, John Hoang - C/CAG Staff

Kelsey Rugani - Kearns and West

Public Member

C/CAG AGENDA REPORT

Date: November 26, 2018
To: Congestion Management and Environmental Quality (CMEQ) Committee
From: John Hoang
Subject: Receive a presentation on the Draft San Mateo County Transportation Programs Climate Impact Report

(For further information or questions, contact John Hoang at 650-363-4105)

RECOMMENDATION

That the CMEQ Committee receives a presentation on the Draft San Mateo County Transportation Programs Climate Impact Report.

FISCAL IMPACT

\$35,000

SOURCE OF FUNDS

Congestion Relief Funds.

BACKGROUND

The challenge of climate change is not new and addressing it has long been a priority for San Mateo County. City/County Association of Governments of San Mateo County (C/CAG) is responsible for administering many state-mandated programs related to transportation, air quality and federal and state transportation funding programs in San Mateo County.

This Transportation Programs Climate Impact Report identifies C/CAG's long-range planning documents and provides policy and program direction for all transportation plans in the county to meet the State of California's climate goal of 40% below 1990 levels by 2030. Specifically, the strategies identified in this document demonstrate how C/CAG's recently adopted San Mateo Countywide Transportation Plan 2040 (SMCTP 2040) is anticipated to reduce GHG emissions countywide.

The SMCTP 2040 is intended to articulate clear transportation planning objectives and policies and to promote consistency and compatibility among all transportation plans and programs within the county. By doing so, SMCTP 2040 supports an integrated, system-wide approach to transportation planning that gives proper consideration to the countywide transportation network as a whole, not just in its constituent parts. Through its countywide initiatives, C/CAG is supporting its member jurisdictions to meet city-level climate action commitments.

At the September 24, 2018 meeting, the CMEQ Committee received a presentation on the

Transportation Climate Plan. The presentation was also provided to the CMP TAC. Comments were received, and the document, the “Draft San Mateo County Transportation Programs Climate Impact Report” was developed. The Report, which is available for downloading at the C/CAG website indicated below, will be presented at the meeting.

ATTACHMENTS

- Draft San Mateo County Transportation Programs Climate Impact Report (*The document will be available for download at the C/CAG website at: <http://ccag.ca.gov/committees/congestion-management-and-environmental-quality-committee/>*)

C/CAG AGENDA REPORT

Date: November 26, 2018

To: Congestion Management and Environmental Quality (CMEQ) Committee

From: Sara Muse

Subject: Receive a presentation on the San Mateo County Safe Routes to School FY 2017-18 Annual Report

(For further information contact Sara Muse at 650-599-1460)

RECOMMENDATION

That the Congestion Management and Environmental Quality (CMEQ) Committee receive a presentation on the San Mateo County Safe Routes to School FY 2017-18 Annual Report.

BACKGROUND

The San Mateo County Safe Routes to School Program (SRTS Program) is funded by a combination of federal Congestion Mitigation and Air Quality Improvement (CMAQ) funds and local Measure M funds. C/CAG has contracted with the San Mateo County Office of Education (SMCOE) to administer the SRTS Program since 2011. SMCOE prepares the Annual Report to report on activities within each fiscal year and projected goals for the next year.

The report is available online here: <http://ccag.ca.gov/programs/transportation-programs/safe-routes-to-school/>

Copies of the Report will be distributed at the meeting.

ATTACHMENTS

None.

C/CAG AGENDA REPORT

Date: November 26, 2018
To: Congestion Management and Environmental Quality (CMEQ) Committee
From: Kim Springer, County staff to RMCP Committee
Subject: Update on San Mateo County Energy Watch Program.
(For further information contact Kim Springer at 650-599-1412)

RECOMMENDATION

Receive an update on the San Mateo County Energy Watch Program.

FISCAL IMPACT

None. SMCEW program staff costs are paid for by funding under the C/CAG – PG&E Local Government Partnership (LGP) agreement.

BACKGROUND/DISCUSSION

The San Mateo County Energy Watch Program and several projects in process under the Program, are ongoing, and others will be either completed or partially completed this calendar year. Each of these are described below and staff will make a verbal presentation on each of them at the CMEQ meeting.

Energy Savings to Goal

The SMCEW Program is currently in a three-year program cycle, for calendar years 2016-2018. Past program cycles, 2009, 2010-2012, 2013-2014, and 2015, contracts have included goals set by PG&E for energy-savings outcomes (kW, kWh, and Therms). For this program cycle, 2016-2018, the contract does not specify exact energy-savings goals, however, PG&E has suggested we use past (2015) savings goals, since it matches the current annual program funding. The program is on track to meet electricity-saving goals through calendar year 2018 but falling short of the Therms goal.

Climate Action Planning Technical Assistance

The SMCEW Program provides climate action planning technical assistance for emission inventories and development of climate action plans. Consultant, DNV GL, provides these services to C/CAG member agencies. Staff and DNV GL establish priority of support to cities based on feedback from cities on their areas urgency of need for support. Currently, DNV GL is focused on seven agencies: Brisbane, C/CAG, Colma, Millbrae, Pacifica, Redwood City, and the County. Each of the agencies are in different phases of updating their CAPs to 2030. Progress for these and all agencies is tracked, and technical assistance is provided as needed.

Call for Projects

The SMCEW program launched Municipal Energy Efficiency Call for Projects for C/CAG

member agencies, and guidelines were approved by the C/CAG Board on October 12, 2017. SMCEW staff released the Call for Projects on October 20, 2017. A pre-application workshop was held on November 6, 2017 for interested local governments. The application due date was December 15, 2017. Staff received proposals from 12 member agencies and all 12 grant contracts were approved by the C/CAG Board on February 8, 2018.

Under these contracts, agencies are working to complete one or both of two tiers of their proposed projects to receive funding. The deadline for completion is December 31, 2018 in order for the agencies to receive funding.

Library Kits

The SMCEW program launched a “Check It Out! Home Energy and Water Saving Toolkit” program at all the libraries in San Mateo County on Earth Day 2017. To date there have been over 550 check outs of the tool kits. There have been multiple enhancements to this program.

Job Order Contracting

Job Order Contracting (JOC) provides an alternative to competitive bidding for contracted services by providing a process that, competitively, establishes costs for a variety of services at one time. When a local agency has a need for services, they can turn to a “book” of providers and costs already established. This has the potential to streamline both staff time and the timeline for completing projects.

Staff has been in discussions with PG&E to be a pilot for understanding the feasibility of establishing a multi-agency JOC process focused on energy-type contracted services for some time. PG&E was recently approached by a consultant, 2050 Partners, which has considerable experience in JOC, looking for a county to explore this type of contracting approach. Staff met with 2050 partners, gained approval from PG&E for the project, developed a scope of work for a feasibility study for a multi-agency approach to JOC in San Mateo County, and brought a contract to the C/CAG Board on October 11, 2018. The contract was approved by the Board and work has begun. The deadline for completion of the feasibility study is December 31, 2018.

San Mateo County Energy and Water Strategy 2025

In 2005, San Mateo County Board of Supervisors President Jerry Hill proposed the need for a countywide task force to investigate and recommend how best to meet the county’s current and future energy needs. In February of 2006, the CMAQ authorized the creation of an ad hoc energy working group. The C/CAG Board established the Utilities Sustainability Task Force (USTF), which was tasked with framing a discussion and developing a strategy defining practical actions for the cities and the County on energy, water, alternative generation, and climate protection.

The resulting document was the San Mateo County Energy Strategy 2012, which was completed in draft form in December of 2008, adopted by the County Board of Supervisors, and subsequently adopted by every city and town in San Mateo County in 2009.

At the February 21, 2018 RMCP meeting, the Committee discussed priorities for calendar year 2018 and concluded that the San Mateo County Energy Strategy should be updated, especially since the baseline for goals, strategies, and actions related to energy and water has significantly changed since December 2008.

On February 8, 2018, the C/CAG Board approved consultant contract with DNV GL to provide services to the San Mateo County Energy Watch program, including funding to update the

New SMCEW Website and Outreach

In 2018, with support from a consultant, the SMCEW website was redesigned in WordPress. The new site is much simpler and easier to navigate. Additional updates will be made to the site through the end of calendar year 2018 and staff has been trained to handle future updates. You can visit the new site here: <https://smcenergywatch.org/>.

Program, Budget, and Contracting for Calendar Year 2019

The California Public Utilities Commission (Commission) adopted a decision in October 2015, establishing a “Rolling Portfolio” process for reviewing the investor owned utilities (IOU’s) energy efficiency portfolios, internal and contracted energy efficiency program offerings for California ratepayers.

The IOU-contracted energy efficiency programs that complete their portfolio of offerings fall into two categories: third party and local government partnerships. The San Mateo County Energy Watch (SMCEW) program, is the local government partnership in San Mateo County. SMCEW began in 2009 and has continued to date through multiple program cycles. The current program cycle is calendar year 2016-2018.

In August 2016, the commission adopted another decision requiring the IOUs to direct at least 60 percent of their energy efficiency portfolio budgets to be implemented by third parties by the end of 2022. This is an increase from the current level of 20%. Rather than PG&E and local government partnerships having access to 80% of the portfolio funding, the programs will only have access to approximately 40% in 2022.

Total Resource Cost (TRC) is a measure of the cost effectiveness of energy efficiency programs. The Commission issued a decision, which included an increase in the TRC to 1.25 for program administrators. This higher TRC will be difficult of local government partnerships to help PG&E achieve.

These factors, shift in funding priorities and higher TRC requirement, have driven PG&E to reduce funding to local government partnerships, including the SMCEW’s budget, which is being reduced by approximately 55% for calendar year 2019.

Updates

At the CMEQ meeting, staff will provide a verbal update on each of the programs and projects listed above

ATTACHMENT

None

C/CAG AGENDA REPORT

Date: November 26, 2018

To: Congestion Management and Environmental Quality (CMEQ) Committee

From: Sandy Wong, Executive Director

Subject: Receive a presentation and provide input on a recommendation for the US 101 Express Lanes operator options.

(For further information or questions, contact Jean Higaki at 650-599-1462)

RECOMMENDATION

That the C/CAG CMEQ committee receive a presentation and provide input on a recommendation for the US 101 Express Lanes operator options.

FISCAL IMPACT

SOURCE OF FUNDS

N/A

BACKGROUND

On May 8, 2015, the SMCTA issued a call for projects for their Measure A Highway Program, to solicit projects that reduce congestion in commute corridors. The program focuses on removing bottlenecks in the most congested highway commute corridors, reducing congestion, and improving throughput along critical congested commute corridors.

C/CAG applied to sponsor and develop the Project Approval/Environmental Document (PA/ED) phase of a US 101 HOV Lane project. On October 1, 2015, TA Board authorized the allocation of \$8.5 million of Measure A funding for the PA/ED phase.

Given the complexity, large size, and regional nature of the project, partnership and collaboration between C/CAG and the SMCTA is required to ensure success. It was recommended that C/CAG and the SMCTA serve as co-sponsors of the project and that the SMCTA continue to implement the project as part of an integrated delivery team with Caltrans.

On June 2, 2016 the SMCTA Board approved a resolution which allows the SMCTA to act as a sponsor for this project. On November 10, 2016 the C/CAG Board approved a resolution to co-sponsor the environmental phase of the US 101 Managed Lane Project with the SMCTA.

Caltrans is the designated environmental lead agency all major projects on the state highway system and certifies the environmental document. On October 31, 2018 the environmental document and

project report was completed for this project. On November 8, 2018, the environmental document was sent to the state clearing house. There is one build alternative in the completed environmental document which is an express lane on the US 101. Caltrans is planning to begin construction of an early work package, south of Whipple, in early spring.

In June 2018, a presentation was made to the CMP TAC and in July 2018, a presentation was made to the C/CAG Board of Directors regarding the US 101 Managed Lanes project which included an overview of the tolling system, potential ranges of revenues and costs, assessment of roles/responsibilities, and options for owner and operator.

Additional information, regarding processes required relative to various operator options, has since been gathered and was presented to the CMP TAC on November 15, 2018 and again at a joint SMCTA and C/CAG workshop scheduled on November 16, 2018. The intent of the workshop was to provide information regarding the general roles and responsibilities of owning and operating a toll lane facility for the Board's consideration in advance of selecting a system owner and operator at the December SMCTA and C/CAG board meetings.

Staff will be looking to the CMEQ committee to provide input on both the owner operator choice as well as provide suggestions regarding outreach associated with the construction of the project.

ATTACHMENTS

1. Owner/ Operator considerations chart

	OPTION	DESCRIPTION	PROS	CONS
SAN MATEO COUNTY ENTITY/ENTITIES OWN AND OPERATE				
1.	Stand-alone three-party agreement (TA, C/CAG, VTA)	TA, C/CAG, and VTA would enter into three-party agreement governing ownership and operation. There would be no joint advisory or decision-making body	<ul style="list-style-type: none"> Retains SMC control. 	<ul style="list-style-type: none"> Assumes financial liabilities. Cumbersome decision-making. Agreement cannot anticipate all issues, requiring many actions by all three boards. May be difficult to achieve consensus among all three boards.
2.	Joint policy committee	TA and C/CAG Boards would set up cross-agency joint committee to make recommendations for managing the express lanes, then enter into agreement with VTA.	<ul style="list-style-type: none"> Retains SMC control. Agency boards retain control. Could make decision-making by individual boards more efficient. 	<ul style="list-style-type: none"> Assumes financial liabilities. Uncommon. Advisory only; still requires that all three boards agree on most actions. May be difficult to achieve consensus among all three boards. Requires decisions about committee members, etc.
3.	Joint powers authority	TA and C/CAG would form new JPA, which would enter agreement with VTA. JPA's scope and authority is flexible; could be repealed by TA and C/CAG.	<ul style="list-style-type: none"> Retains SMC control. Could transfer financial liabilities to new entity. More efficient decision-making than (1) and (2). JPA is a more familiar concept/structure. 	<ul style="list-style-type: none"> Slow setup (but could be combined with #1 or #2 on interim basis). TA and C/CAG Boards must feel comfortable relinquishing at least some authority. Requires decisions about JPA board members, liability, staff, etc.

MTC/BAIFA OWN AND OPERATE

4.	MTC/BAIFA	Once capital project is completed, ownership and control over express lanes would be transferred to BAIFA; MTC would own/operate toll facility.	<ul style="list-style-type: none"> • Transfers financial liabilities. • MTC is experienced in owning/operating express lanes. • MTC staff indicate TA and C/CAG would control net revenues. 	<ul style="list-style-type: none"> • Cedes SMC control. • TA and C/CAG would have 1 seat on 6-member board. • MTC would receives gross revenue, currently no BAIFA confirmation that SMC would control net revenues, still subject to BAIFA vote. • Would require clear limits on what revenue MTC can take for O&M. • May require future negotiations with other corridor agencies (e.g., SFCTA).
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IMPRACTICABLE OPTIONS

5.	C/CAG seeks authority from CTC to own and operate	C/CAG would apply to California Transportation Commission as a “regional transportation agency” to receive authority to own/operate express lanes under AB 194.	<ul style="list-style-type: none"> • Retains SMC control. • Relatively fast setup. • Does not require new legislation or JPA. 	<ul style="list-style-type: none"> • Not practicable – requires consent of “transportation planning agency,” which is MTC; MTC will likely oppose as that adds another entity in the Bay Area to own/operate managed lanes. • Would require separate agreement/arrangement with TA.
6.	Legislation	TA and/or C/CAG run bill to secure authority to own/operate express lanes.	<ul style="list-style-type: none"> • Retains SMC control. 	<ul style="list-style-type: none"> • Not practicable – questionable chance of success (MTC will likely oppose for reason stated above). • Process for legislation is at least a year or more. • Need to secure a legislative sponsor.