

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

Meeting No. 3

DATE: Friday, September 13, 2019
TIME: 9:00 A.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. Papan, vacancy)

1.0 CALL TO ORDER/ ROLL CALL

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

Members Present:

C/CAG members: Alicia Aguirre, Diane Papan (arrived 9:07 a.m.)

SMCTA members: Don Horsley, Emily Beach, Maureen Freschet

Members Absent: None. One vacant seat representing C/CAG.

Staff Present:

Sandy Wong – Executive Council

Jim Hartnett – Executive Council

Mima Guilles – Secretary

Justin Mates – Legal Counsel

Van Ocampo – C/CAG Staff support SMCEL JPA

April Chan, Joe Hurley, Jennifer Williams – TA Staff supporting SMCEL JPA

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.

None.

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. 2 dated July 12, 2019.

Director Horsley **MOVED** to approve the CONSENT AGENDA. Director Beach **SECONDED. 4-0-0 (Ayes: Aguirre, Beach, Freschet, and Horsley)**

5.0 REGULAR AGENDA

- a) Receive an update on the express lane project status including the California Transportation Commission (CTC) toll authority approval status. **INFORMATION**

Sandy Wong, Executive Council, reported that the SMCEL JPA has submitted an application to the California Transportation Commission (CTC) for toll authority. At its regular meeting on August 14, 2019, the CTC unanimously approved the application. Ms. Wong also provided an update on the on-going process to select a consulting firm to act as the Policy/Program Manager for the SMCEL JPA. Interviews have been conducted and the next step is to negotiate with the highest ranked proposer based on the interview panel's recommendation. Staff aims to present a contract to the Board for approval at the next meeting.

- b) Review and approval of Resolution SMCEL 19-04 authorizing the four-party Cooperative Agreement between the San Mateo County Express Lanes Joint Power Authority (SMCEL-JPA), the City/ County Association of Governments of San Mateo County (C/CAG), the San Mateo County Transportation Authority (TA), and 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. **APPROVED**

Sandy Wong, Executive Council, explained the four-party agreement is currently under final review by legal counsels from each of the four agencies, thus, marked as "draft" in the meeting packet. Staff recommends the Board to approve Resolution SMCEL 19-04 authorizing the Chair to execute said agreement upon final review, provided the final agreement is substantially the same as the draft provided to the Board at this meeting.

Since the total of \$514 million project cost is being spent in many different components, Director Beach requested staff to provide information that tracks the different buckets of money for this project.

Director Freschet noted there were two typos in Resolution SMCEL 19-04.

Director Papan **MOVED** to approve Resolution SMCEL 19-04, Director Freschet **SECONDED**, with correction to the typo errors. Roll call was taken. **MOTION CARRIED UNANIMOUSLY 5-0-0**

6.0 REPORTS

- a) Chairperson Report – None.

Item 4.0 a

- b) Member Communication – Director Papan and Director Beach reported that Finance Ad Hoc committee met with the Chief Financial Officer of TA, who also acts as the Finance Chief for the SMCEL JPA, staff of TA and C/CAG, regarding the terms for the Operation Loans and Capital Loan. The Ad Hoc committee also discussed the conceptual flow of funds, “Waterfall”, for toll revenues from the operation of the project. The committee will continue such discussion before final recommendation to the Board is made.

- c) Executive Council Report – On behalf of the Executive Council, April Chan reported that staff will present various agreements to the Board for approval at the next meeting, including Operation Loans from TA and C/CAG, Staff Service agreement with TA and C/CAG.

7.0 WRITTEN COMMUNICATIONS

None.

8.0 NEXT REGULAR MEETING

The next meeting is scheduled for October 11, 2019.

9.0 ADJOURN

The meeting was adjourned at 9:26 A.M.

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

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: A. Aguirre, E. Beach, M. Freschet, D. Horsley, D. Kim, D. Papan)

1.0 CALL TO ORDER/ ROLL CALL

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

Members Present:

C/CAG members: Alicia Aguirre, Diane Papan

SMCTA members: Don Horsley, Emily Beach (by phone), Maureen Freschet

Members Absent: Doug Kim, C/CAG member

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,

Public Members:

Drew – Public

2.0 PLEDGE OF ALLEGIANCE

3.0 PUBLIC COMMENT

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None.

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

A handout on SM 101 Express Lanes Startup Activities (Preliminary Schedule As of 7/12/19) was provided at the meeting.

Director Horsley **MOVED** to approve the CONSENT AGENDA. Director Papan **SECONDED. MOTION CARRIED 5-0-0**

5.0 REGULAR AGENDA

- a) Receive an update on the process to obtain express lane authority approval by the California Transportation Commission. **INFORMATION**

Ms. April Chan provided a brief verbal update on the process to obtain express lane authority approval by the California Transportation Commission. A Public Hearing of the (CTC) is being planned for July 25, 2019 at 4:00 PM at the San Mateo County office location. Director Papan offer to attend the Public Hearing if needed. CTC is scheduled to decide on the JPA's application to operate the express lane during their August meeting in San Jose.

- 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. **APPROVED**

Mr. Justin Mates provided a brief introduction on staff recommendation to form an ad-hoc advisory committee consisting of one member from appointees of C/CAG, and one member from appointees of TA, to negotiate with C/CAG and TA regarding agreements for funding advances and staffing.

Director Papan and Director Beach volunteered to serve on the ad-hoc committee as appointees from C/CAG and TA, respectively.

Director Horsley **MOVED** to approve the appointment of Director Papan and Director Beach to serve on the ad-hoc advisory committee to negotiate and advise the Board on agreements with C/CAG and the TA for funding advances and staffing. Director Freschet **SECONDED. MOTION CARRIED 5-0-0**

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- c) Public Hearing: Approval of Resolution SMCEL 19-03 adopting the Fiscal Year 2020 JPA Budget in the amount of \$1,744,911. **APPROVED**

Mr. Derek Hansel, CFO of SamTrans, made a presentation on the proposed Fiscal Year 2020 JPA Budget in the amount of \$1,744,911.

Chair Aguirre announced the opening of the Public Hearing for the purpose of considering the adoption of the Fiscal Year 2020 budget of the San Mateo County Joint Powers Authority. Chair Aguirre also asked that Clerk of the Board, Mima Guilles, provide a brief background on the hearing. Ms. Guilles provided the background and stated that there were no correspondence or emails received up to the time of the Public Hearing.

Both Directors Papan and Beach had questions regarding insurance coverage for Directors and these were answered by Mr. Hansel.

Director Papan **MOVED** to approve Resolution SMCEL 19-03 adopting the Fiscal Year 2020 JPA Budget in the amount of \$1,744,911. Director Freschet **SECONDED**.
MOTION CARRIED 5-0-0

- 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.

Staff recommended the Board to table this item.

No action was taken.

6.0 REPORTS

- a) Chairperson Report – None.
- b) Member Communication – None.
- c) Executive Council Report – None.

7.0 WRITTEN COMMUNICATIONS

None.

8.0 NEXT REGULAR MEETING

The next meeting is scheduled for August 9, 2019.

9.0 ADJOURN

The meeting was adjourned at 9:30 A.M.