

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

Meeting No. 27
September 10, 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 (departed 10:05a.m.), Don Horsley

Members Absent:

None.

Staff Present:

Sean Charpentier – Executive Council

Carter Mau – Executive Council

Mima Guilles – Secretary

Tim Fox – Legal Counsel

Van Ocampo, Kim Springer – C/CAG staff supporting SMCEL-JPA

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

Lacy Vong, Samantha Soules, Matt Click – HNTB

Leo Scott – Gray-Bowen-Scott

Jens-Peter Jungclaussen - InkëDesign

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 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.

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.

4.1 Approval of the minutes of Board of Directors regular business meeting No. 26 dated August 13, 2021. APPROVED

4.2 Accept the Sources and Uses of Funds for the FY22 Period Ending July 31, 2021. APPROVED

4.3 Review and approval of Resolution SMCEL 21-12 authorizing the SMCEL-JPA Chair to execute an Agreement with US Bank Global Corporate Trust for fiscal agent services for Fiscal Years 2021/2022 through 2025/2026 for an amount not to exceed \$11,000. APPROVED

4.4 Review and approval of Resolution SMCEL 21-13 approving the proposal from Carahsoft for Granicus Video Conversion Services beginning September 2021 through June 2024 for a Total Not to Exceed Amount of \$61,913.42 and authorizing the SMCEL-JPA Executive Council to execute the necessary Purchase Orders. APPROVED

Director Medina MOVED to approve the consent agenda. Director Horsley SECONDED. Roll call was taken. **MOTION CARRIED 5-0-0** (no response from Director Aguirre)

5.0 REGULAR AGENDA

5.1 Review and Approval of Resolution SMCEL 21-14 authorizing the Chair to execute Amendment No. 1 to the Agreement with HNTB Corporation for Policy/Program Management Services for an amount not to exceed \$2,884,199 covering the period of November 1, 2021 through October 30, 2023. APPROVED

Sean Charpentier, Executive Council, gave a brief overview of Amendment No. 1 to the Agreement with HNTB Corporation for Policy/Program Management Services. The JEPA created SMCEL-JPA, pursuant to the California Joint Exercise of Powers Act to oversee the operations and administration of the San Mateo 101 Express Lanes Project, and to jointly exercise ownership rights over the express

lanes. Per the JEPA, SMCEL-JPA will retain an independent, high-level Policy/Program Manager (PPM), via contract, whose primary task is to develop and oversee the implementation of the policies and programs of SMCEL-JPA. On 2019, the JPA Board selected HNTB for a two-year agreement for an amount not to exceed \$1,381,716.

For the next two years the SMCEL-JPA will continue to need significant policy, program, operations and administrative support during the startup period through the fall of 2023. Staff recommend continuing with HNTB due to the firm's extensive technical and policy knowledge and familiarity with the project. As the project transitions into the operations of the Express Lanes, staff proposed that the agency may need an additional 1.5 FTEs for operations, technical analysis, financial and budget support. Staff recommends contract Amendment No. 1 with HNTB for an additional of two years for not to exceed \$2.8 to provide the critical services. The contract is a not to exceed amount, so the SMCEL-JPA will only pay for the services provided.

Director Beach commented that it would be helpful to contrast between the two contracts on the price differential.

Matt Click noted there is significant new types of work associated with transitioning from construction to express lane operations. The two-year contract is coming to end, and discussions were being made with executive staff, finance staff, legal and they have identified an estimate of the required support and associated scope and budget.

Director Beach **MOVED** to approve item 5.1. Director Aguirre **SECONDED**. Roll call was taken. **MOTION CARRIED 6-0-0**

- 5.2 Receive a presentation on the San Mateo County US 101 Express Lanes Equity Program Implementation Update. **INFORMATION**

The Board received a presentation from Matt Click and Lacy Vong from HNTB on the progress of the San Mateo County US 101 Express Lanes Equity Program implementation plan. Key points include recommendations to increase the transit and transponder benefit to \$100, raising the eligibility to 60% AMI, and working with the members of the CORE Agencies in San Mateo County.

Chair Papan asked if there will still be a required \$20 deposit for the Fasttrak transponder.

Lacy said with the retail program, it's initially preloaded with \$25. Once registered you would get an additional benefit on top of that. The deposit by a credit card would be waived. Our partners are looking at amending the required deposit for clients that pay cash from an equity perspective.

Chair Papan asked what would the core agencies screening process would look like?

Lacy responded that the Core Agencies already have a process in place and people who are eligible for other Core Agency programs, would also generally be eligible for the SMCEL-JPA Equity Program.

Director Horsley commented that the Core Agencies have a very good system in verifying income and eligibility, so less worries about fraud.

Director Beach commented that she supports all the eligibility changes. She asked if there were any discussion with the stakeholders or core agencies about adding more money to the clipper benefit versus instead of increasing the \$50 transponders to \$100.

Lacy Vong mentioned that the initial thought was that there would be more demand for the transit benefits than the Fastrak Transponders, and that the question of level of benefit by program would be analyzed during the implementation.

Matt Click added that they did not explore that variation. We don't anticipate as much of an interest of the transponder as the transit. After 6 to 8 months of implementation look to potential to adjust it.

Director Beach added that adding flyers on SamTrans buses about clipper card programs.

Matt Click said they will be working with communications on the strategies.

Director Aguirre asked if we know where the demands are and whether it's public transit or cars.

Matt Click said they don't know with the data but with conversations with the core they do anticipate the majority of the benefit to be on the transit side of things.

Lacy added that the lanes aren't here yet and it may be hard for people to understand what they need. What they are focusing on is to evolve and grow what the community needs.

Director Aguirre is glad to see the amount of \$50 has increased and the flexibility whether we move to clipper side or transponders. What do we do when the money runs out and if we see a higher demand?

Director Derwin noted that there was a robust discussion about the credit enhancement fee and asked for an update on that topic.

Carter Mau Executive Council commented on SamTrans experience with the clipper start program and it has been a struggle which launched last November. This data from July 2021, regionwide for the entire week less the 8400 people on the clipper start program. We need to do more marketing and extensive outreach to get people to use the program.

Director Medina commented that he likes and supports the increase on the \$50 to \$100 for the individual. Hope to work collaboratively and do more simplistic and simpler as possible i.e. phone numbers.

April Chan provided updates on potential additional funding for the equity program going forward. She reminded that there is already a million dollars for this program to start up & roll out this winter. In addition, the TA is developing the Alternative Congestion Relief and Transportation Demand Management Plan (ACR TDM) to allocate this source of Measure A funds. The TA staff recommendation currently includes a one-time set aside \$400K for the SMCEL-JPA equity program that will supplement what is already in place. The ACR TDM Plan is scheduled to be taken up to the TA Board for an update at the end of the year and for TA Board adoption in January. If the Board approves it, it will be made available in addition to the startup funds that this program has in place.

Sean Charpentier added that C/CAG is planning to do a call for projects for lifeline transit next calendar year and will be researching if this program is eligible for the funds.

Chair Papan asked JPA staff or the PPM could explore additional sources of funding from federal or state sources.

Matt Click has said they can definitely investigate it.

- 5.3 Receive a presentation providing an update on the agreements with the Bay Area Infrastructure Financing Authority (BAIFA) and the Bay Area Toll Authority (BATA). INFORMATION

The Board received a brief presentation from Samantha Soules on providing an update on the agreements with the Bay Area Infrastructure Financing Authority (BAIFA) and the Bay Area Toll Authority (BATA).

Chair Papan asked if there are any issues with other corridors that we should be concerned about.

Samantha Click said she has not heard any newsworthy but will be happy to follow up on performance.

Director Aguirre commented that it is important to look at lessons learned from other express lanes and see how we can adjust a be ahead of the game on issues.

- 5.4 Receive a Presentation on SMCEL-JPA Branding Update and Recommendation. INFORMATION

The Board received a brief overview and background on the SMCEL-JPA Branding recommendation from Robert Casumbal.

The Board received a presentation on the SMCEL-JPA Branding Update and Recommendation from Jens-Peter Jungclaussen, InkëDesign. This branding effort

includes a brand environment analysis, details on message development and logo recommendation.

Director Beach commented on how we can distinguish between the Fastrak we have now and the new Fastrak. The word “train” can be confusing in this context. This logo could benefit the public if the logo is shared and be modified for San Francisco 101 Express Lanes, VTA, where the public would see a consistent logo with a qualifier. She personally likes the San Mateo County rather than Authority. Distinguishing San Mateo County is good for the County and hopefully staff and consultants make it coherent 101 into the future with our partners.

Chair Papan concurs with Director Beach.

Director Horsley commented that out of the three logos, he liked the middle logo that has Express Lanes and San Mateo County.

Vice Chair Medina commented and agrees with Director Beach’s comments. He has added that in his opinion the stylescape of logos, he sees it to be a little busy.

Jens-Peter Jungclaussen said the stylescapes are a collage of ideas of how it could look however it can be simpler designs.

Director Derwin asked if other bay area communities where there are Express Lanes, do they pass through multiple counties or are we the only one. Robert said they are taking that into consideration. She personally likes the stylescapes and the business.

Director Aguirre likes the styles and prefers to have the San Mateo County added.

Leo Scott answered Director Derwin’s multiple county corridors. 680 crosses now between Santa Clara and Contra Costa and envision to go into Solano. The 880 corridor currently is in both Alameda and Santa Clara Counties.

Director Derwin asked if these Express Lanes throughout the Bay Area have a common logo throughout the corridor.

Leo Scott noted that the other express lanes in the Bay Area have multiple operators as the lanes cross counties.

Chair Papan commented that the most important thing would be the 3 people in the car.

Chair Aguirre commented if one of the three people could show one to be a woman with long hair. Peter said it is a great idea.

April noted what the next steps would be for the branding/logo work. She commented that staff’s purpose at today’s meeting is to get the Board’s reaction and comments and would like to take those comments and make adjustments. Next

steps would be for the marketing team to incorporate changes so staff can begin incorporating them into the marketing materials and be able to roll it out to public.

Drew commented about having two people with long hair rather than just one or maybe run it with diversity and inclusivity. He added that he thinks it could be expanded beyond San Mateo County. Peter will try to make it diverse without losing the ability to identify that it's people.

- 5.5 Receive a presentation on the San Mateo County US 101 Express Lanes steps to commence tolling from Santa Clara County to Whipple Ave. INFORMATION

Leo gave an update and introduction to the San Mateo County US 101 Express Lanes steps, along with risks, to commence tolling from Santa Clara County to Whipple Ave that is currently scheduled for December 2021.

Chair Papan asked where is the equipment that monitors how busy the lane is and what will be charged?

Leo Scott said that the CCTV camera polls has a device that has a vehicle detection which reads the traffic on each of the lanes and sends to the fiber to the toll data center where it gets processed.

Drew asked about the blank boxes and street signs missing. He would like to know the status on the uneven pavement on the Willow Rd interchange. He was told that it is tied to the Express Lane and is supposed to get a thin overlay.

Leo Scott said the resurfacing will start later this year once the concrete barriers is removed from the median and they restripe the facility. In the end of a toll zone or segment, we are guaranteeing the price through the patron once they see it on the sign. Drew also mentions that we are not pre-showing Santa Clara pricing on San Mateo signs and Leo said that is correct.

6.0 CLOSED SESSION

- 6.1 CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Cal. Gov't Code § 54956.8)
Property: No. 1 lanes on US 101 N/S from Santa Clara/San Mateo County Line to I-380 interchange
Agency Negotiator: SMCEL-JPA Executive Council
Negotiating Parties: SMCEL-JPA; California Department of Transportation
Under Negotiation: Price and terms of payment for leasehold interest

Chair Papan stated that there was no reportable action taken during closed session.

7.0 REPORTS

a) Chairperson Report.

None.

b) Member Communication.

None.

c) Executive Council Report - Executive Council Verbal Report.

Sean Charpentier reported that the statutory authority allowing fully remote public meetings expires at the end of September. If AB 361 is approved by the legislation and signed by the Governor, we will most likely continue with fully remote meetings. If not approved, we may return to in person meetings in October.

d) Policy/Program Manager Report.

None.

8.0 WRITTEN COMMUNICATIONS

None.

9.0 NEXT REGULAR MEETING

October 8, 2021

ADJOURNMENT – 11:04 a.m.