

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

Meeting No. 38
July 8, 2022

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: Rico E. Medina (Chair), Alicia Aguirre (Vice Chair), Diane Papan, Don Horsley, Emily Beach and Maryann Moise Derwin

1.0 CALL TO ORDER/ ROLL CALL

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

Members Present:

C/CAG Members:

Diane Papan, Alicia Aguirre, Maryann Moise Derwin

SMCTA Members:

Don Horsley, Emily Beach, Rico Medina

Members Absent:

None.

Staff Present:

Sean Charpentier – Executive Council

Carter Mau – Executive Council

Mima Crume – Clerk

Tim Fox – Legal Counsel

Van Ocampo, Kaki Cheung – C/CAG staff supporting SMCEL-JPA

Carter Mau, April Chan, Joe Hurley, Grace Martinez, – SMCTA staff supporting SMCEL-JPA

Lacy Vong, Christa Cassidy – HNTB

Other members of staff and the public were in attendance.

2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Crume 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.

Clerk Crume reported that there were not any public comments submitted before the meeting. No public comment was made at the meeting.

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 Review and approval of Resolution SMCEL 22-22 finding that, as a result of the continuing COVID-19 pandemic state of emergency declared by Governor Newsom, meeting in person would present imminent risks to the health or safety of attendees. APPROVED
- 4.2 Approval of the minutes of Board of Directors regular business meeting No. 37 dated June 10, 2022. APPROVED
- 4.3 Accept the Sources and Uses of Funds for the FY22 Period Ending May 31, 2022. APPROVED
- 4.4 Review and approval of Resolution SMCEL 22-17 and Resolution SMCEL 22-18 authorizing the SMCEL-JPA Chair to execute the Third Amendments of the Cooperative Funding Agreements (Operating Loan) with the City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo County Transportation Authority (SMCTA), for \$1,350,000 and \$2,537,852, respectively. APPROVED
- 4.5 Review and approval of Resolution SMCEL 22-19 approving the License Agreement between the City of South San Francisco and SMCEL-JPA for Express Lanes Toll facilities within the City Rights of Way. APPROVED
- 4.6 Review and approval of Resolution SMCEL 22-20 approving the Permanent Encroachment Permit with the City of Belmont for Express Lanes Toll facilities within the City Rights of Way. APPROVED
- 4.7 Review and approval of Resolution SMCEL 22-21, ratifying the purchase of Commercial General Liability Insurance and Public Officials Liability Insurance policies for 12 months at a not to exceed amount of \$131,067. APPROVED

Director Aguirre MOVED to approve the consent agenda. Director Papan SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

5.0 REGULAR AGENDA

- 5.1 Receive a presentation on proposed reductions to the toll violation penalties. INFORMATION

The Board received a presentation on proposed reductions to the toll violation penalties.

Director Horsley inquired about how citations would work and clarifications on CHP's responsibilities. Sean responded that toll violations are checked through a reader system using license plate information, and CHP enforces violation related to the HOV occupancy. The penalty for HOV violation is \$491.

Director Beach asked if the proposed penalty of \$10 covers the cost of processing the violations. Sean Charpentier responded yes. Van Ocampo noted that the processing cost is between \$1.00 to \$1.50.

Chair Medina asked what options are available if other agencies choose not to go forward with this new proposal. Sean said that the decision would be up to the agency. Because San Mateo County shares a border with Santa Clara County, consistency with VTA on the toll penalty across the county line would be desirable. If VTA doesn't implement the same violation penalty, it would be more challenging.

Public member Drew commented that his impression is the penalty is about not paying the toll.

Stephen Wolf, Assistant Director with the Bay Area Infrastructure Financing Authority (BAIFA), commented that each agency may have different interests in what the penalty amounts should be. It has been a challenging process to reach agreements and it's a decision that each board has to make. The Commission recognizes these challenges and has agreed to be consistent with other operators regionally.

Lacy Vong clarified that if a user uses FasTrak on a bridge, the user will get an invoice and have 21 days to pay. In order to use the express lanes, a FasTrak transponder is required. If a motorist makes the decision to get into the express lanes and do not have a FasTrak account, it is then considered a toll violation.

Director Beach commented that for first-time violators who do not have a FasTrak account but decides to sign up, the toll violation penalty is then waived.

- 5.2 Receive update on the US 101 Express Lanes operations. INFORMATION

The Board received an update on the US 101 Express Lanes operations.

Vice Chair Aguirre asked about the locations of seven core agencies. Christa Cassidy responded that the core agencies are located in South San Francisco, Pacifica, San Mateo, Pescadero, Redwood City, El Granada and East Palo Alto and Daly City.

Director Beach commented on the Clipper cards that were distributed as part of the Community Transportation Benefits program. Director Beach asked if the participants are signing up for Clipper Start at the same time, or are the Clipper card values getting loaded onto existing clipper cards. Cassidy responded that this data is not available, the Clipper start program has its own screening tool for eligibility.

Director Beach added that the team should be tracking the estimated operating costs on the dashboard, in addition to potential revenues.

Director Papan asked if there is staff who would assist a user in registering for the Clipper Start program. Cassidy responded that the Samaritin House staff provided users with Clipper Start enrollment materials. If a user wishes to sign up for FasTrak, a staff would help with registration. Director Papan asked if South San Francisco residents are getting additional support with registration at its local core agency. Christa said the data is reflective of those who signed up for the Clipper card benefit through the Community Transportation Benefits Program. It does not show any Clipper Start registration. There was a high level of interest and involvement from community-based organizations in South San Francisco in the Program, and that likely leads to large participation numbers.

Public Member Drew asked if there was a way to identify the percentage of transactions that are image based, but the owners have FasTrak accounts. Those transactions are not subject to toll violation penalties. If possible, adding that as a sub-category on the slide would be helpful.

6.0 REPORTS

a) Chairperson Report.

None.

b) Member Communication.

None.

c) Executive Council Report - Executive Council Verbal Report.

Carter Mau reported out that the TA Board received a presentation on the current financial environment, and how that may potentially impact the bonds issued for the express lanes program. Staff would like to bring it to the JPA Board in August or September.

d) Policy/Program Manager Report.

Lacy Vong noted that the equity program presentation is an initial report, and staff will be evaluating the program. Staff will work with Clipper and FasTrak to get information on actual usage. That will be part of the program evaluation.

7.0 WRITTEN COMMUNICATIONS

None.

8.0 NEXT REGULAR MEETING

August 12, 2022

9.0 ADJOURNMENT – 10:05 a.m.