

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

Meeting No. 43  
December 9, 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), Gina Papan, Don Horsley, Emily Beach and Maryann Moise Derwin

\*\*\*\*\*

## 1.0 CALL TO ORDER/ ROLL CALL

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

**Members Present:**

C/CAG Members: Alicia Aguirre, Gina Papan, Maryann Moise Derwin

SMCTA Members: Don Horsley, Emily Beach, Rico E. Medina

**Members Absent:**

None.

**Staff Present:**

Sean Charpentier – Executive Council  
April Chan - Executive Council  
Mima Crume – Clerk of the Board  
Tim Fox – Legal Counsel  
Kaki Cheung – C/CAG staff supporting SMCEL-JPA  
Grace Martinez – SMCTA staff supporting SMCEL-JPA  
Lacy Vong, Christa Cassidy, Monique Fuhrman – HNTB

Other members of staff and the public were in attendance.  
Diane Papan

## 2.0 BRIEF OVERVIEW OF TELECONFERENCE MEETING PROCEDURES

Clerk Crume gave a brief overview of the teleconference meeting procedures.

## 3.0 PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

*Note: Public comment is limited to two minutes per speaker.*

Clerk Crume reported that there were no public comments.

#### 4.0 PRESENTATIONS/ ANNOUNCEMENTS

- 4.1 Certificate of Appreciation to Maryann Moise Derwin for her years of dedicated service to San Mateo County Express Lanes Joint Powers Authority.
- 4.2 Certificate of Appreciation to Don Horsley for his years of dedicated service to San Mateo County Express Lanes Joint Powers Authority.
- 4.3 Certificate of Appreciation to Diane Papan for her years of dedicated service to San Mateo County Express Lanes Joint Powers Authority.

Chair Medina has presented certificate of appreciations to Board of Directors Diane Papan, Maryann Moise Derwin and Don Horsley. He has thanked the Board of Directors for their dedicated leadership for the San Mateo County Express Lanes Joint Powers Authority.

Board of Directors Emily Beach thanked each Board of Directors for their services, united vision and the honor to have worked with them all.

Chair Medina welcomed Director Gina Papan and soon to be Director Michael Salazar.

Director Gina Papan thanked the Board of Directors for their hard work and dedication, which has been recognized throughout the region.

Vice Chair Alicia Aguirre thanked Board of Directors Diane Papan and Maryanne Moise Derwin for their steadfast and hard work throughout all the different phases. She has also thanked Board of Director Don Horsley and the TA board for their collaboration.

Director Maryann Moise Derwin gave her heartfelt thanks to the Board. She was thankful for the opportunity to create something that will benefit all commuters that pass through the County. She expressed that it was a privilege of a lifetime to work with this Board and she will miss them all. She has also congratulated the new Board of Directors.

Director Diane Papan also thanked the entire Board for the opportunity. It was challenging but all were able to come together. She was most proud that every single person on C/CAG and the TA was committed to making it equitable across the board and throughout the entire county.

Director Don Horsley has thanked the Board and added that we have worked well together. He has enjoyed working with each and everyone.

Public Member Karen Cunningham has thanked the Board and how much she appreciates all the hard work was done.

## 5.0 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.

- 5.1 Review and approval of Resolution SCMEL 22-27 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
- 5.2 Approval of the minutes of Board of Directors regular business meeting No. 42 dated November 18, 2022. APPROVED
- 5.3 Accept the Sources and Uses of Funds for the FY22 Period Ending October 31, 2022. APPROVED
- 5.4 Review and approval of the 2022 Calendar of SMCEL-JPA Board of Directors Meetings. APPROVED

Director Beach MOVED to approve the consent agenda items 5.1 to 5.4. Director Horsley SECONDED. Roll call was taken. **MOTION CARRIED 6-0-0**

## 6.0 REGULAR AGENDA

- 6.1 Review and Approval of Resolution SMCEL 22-28 authorizing the negotiation and execution of an amendment to the service contract with the California Highway Patrol (CHP) to extend the time period through the end of Fiscal Year 2025 for an amount not to exceed \$480,000. APPROVED

Lacy Vong presented an overview of the negotiation and execution of an amendment to the service contract with the California Highway Patrol (CHP) to extend the time period through end of Fiscal Year 2025 for an amount not to exceed \$480,000.

Director Beach commented that in comparison to the approved contract in October 2021, this contract is 30 months longer and it doesn't seem that officer hours have increased proportionally to cover the additional lane miles and time.

Lacy Vong said when the initial estimate for the contract was made, there was not a lot of available data. The amount was determined through discussions with CHP about the level of available staffing. This was a voluntary additional duty for CHP officers, and we're limited to the capacity and availability of officers. The current contract allows services to be provided through the Redwood City office. Staff can work with them to get additional assistance from other area offices as needed. The contract can also be amended at any time if there is an increased need for enforcement.

Vice Chair Aguirre commented when she was serving on MTC, it was noted that there were a lot of violations. MTC formed a close partnership with CHP. They came to some of the meetings, and they worked with MTC to address the concern. We have CHP in Redwood City. She suggests that we should really try to do something to make that partnership a strong one, so that they know we want to work with them.

Director Beach asked if we get charged only for hours used or is the JPA charged regardless of the coverage. Lacy said that the JPA only gets actually for actual hours of enforcement performed in the lane.

Director Papan agrees with the Director Aguirre. She thinks it would be a wonderful idea to invite the officers to the meetings.

Vice Chair Aguirre **MOVED** to approve item 6.1. Director Papan **SECONDED**. Roll call was taken. **MOTION CARRIED 6-0-0**

- 6.2 Receive information and provide feedback on the draft amendment of the Fiscal Year 2023 SMCEL-JPA revised budget. **INFORMATION**

The Board received a presentation on the Fiscal Year 2023 SMCEL-JPA revised budget. The adopted budget reflected 12 months of the southern segment. The revised budget reflects updated estimates for the Southern segment, which are based on year to date actuals, along with the addition of the northern segment. Staff is proposing to amend toll revenues, and expenses related to BAIFA, BATA, CHP, insurance and interest. This will be brought back to the January 2023 Board for approval.

Chair Medina requested that this presentation to be sent to the Board of Directors and to include Director Michael Salazar.

- 6.3 Receive an update on the US 101 Express Lanes operations for the southern segment from Whipple Ave. to San Mateo/Santa Clara County line, in addition to current information on the Community Transportation Benefits Program. **INFORMATION**

The Board of Directors received a presentation on the update on the US 101 Express Lanes operations for the southern segment from Whipple Ave. to San Mateo/Santa Clara County line, in addition to current information on the Community Transportation Benefits Program. The dashboard showed data from August – October. The data is showing a steady level of traffic in the general purpose lane and express lanes during both peak periods. Volumes are well under capacity for the lane, so that means we have an opportunity for growth. Speed differentials for the express lanes and the general purpose lanes are still around 10 to 12 mile per hour. Our average posted tolls are slightly down month over month, but still consistent with the historical levels in both directions. The potential revenue was also down a bit from the month of September. However, October is still our second highest month of potential revenue at about 571,000.

The declared occupancy is leveling out and staying about the same. Our IBT percentage is still about 1/3 of the transactions in the express lanes. The other occupancies are hovering right around the same level, with a slight uptick of the 3+ and decrease in the HOV2 and Single Occupant Vehicle.

Director Beach commented for the benefit of our new Board Members to clarify the difference between the total revenue and toll O&M.

Lacy has responded and gave the definitions of the toll operations and maintenance (O&M) costs and toll revenues. O&M costs consist of the toll system operating and maintenance, FasTrak Regional Customer Service Center support, Caltrans civil lane maintenance, and California Highway Patrol enhanced lane enforcement activities. The Toll O&M costs do not include agency overhead and other administrative costs used to support the Express Lanes Program. The Actual Cumulative Toll revenue consist of revenue collected within that month. This differs from the Potential Revenue, which calculates all the transactions in the lane for that month and assumes all tolls are collected. There may be a lag in trip transactions between when one drive in the lane and when the JPA receives and records the revenue for that trip.

Director Papan asked the length of time it take to accumulate this data.

Monique Fuhrman said it does take a period of time for transactions to clear the host system and be posted to the customer service center. Some of the revenue information takes a little longer, usually about a month offset.

The second half of this item was a presentation on community transportation benefits program. Since the Program launched on April 25, 1,272 participants have enrolled in the Program through October 31—237 selecting the FasTrak option and 1,035 selecting the Clipper Card option. Fifty eight percent of participants have no annual income; 33 percent make less than \$25,000 annually. The top three cities with highest participation rate were South San Francisco, Daly City, and San Mateo. The program was recently featured in the East Palo Alto Today. There are upcoming presentations planned for the Commute.org Board on February 16<sup>th</sup>, and North Fair Oaks Community Council meeting on February 23<sup>rd</sup>.

Director Papan asked for a copy of what was printed on the East Palo Alto Today. Staff will provide that to Director Papan.

Vice Chair Aguirre asked if there has been any outreach to the three community colleges in our district. Staff responded that there has not been any. Vice Chair Aguirre encouraged staff to do so.

- 6.4 Receive a verbal update on the opening schedule for the San Mateo 101 Express Lanes northern segment, from Whipple Avenue to I-380 in South San Francisco.

INFORMATION

The Board received a verbal update on the opening schedule for the San Mateo 101 Express Lanes northern segment, from Whipple Avenue to I-380 in South San Francisco. The express lanes between Whipple and I 380 are open for HOV3 and eligible clean air vehicles. The project right now is currently wrapping up its site testing and will enter the end to end or corridor wide testing shortly. We are on track to commence tolling in early 2023. We will be able to provide a more detailed update estimate of that date during the January board meeting.

## 7.0 REPORTS

### a) Chairperson Report.

He has welcomed Director Gina Papan to the Board and wished and thanked Directors Don Horsley, Maryann Moise Derwin and Diane Papan.

### b) Member Communication.

None.

### c) Executive Council Report - Executive Council Verbal Report.

Sean Charpentier thanked the current and outgoing board members and staff for all their work for last 12 months. He's wished everyone a happy and healthy holiday season.

April Chan thanked the outgoing Directors for their service that they've provided on this Board. She welcomed the Director Gina Papan to the Board. She has added that Carter Mau who has been acting Executive Director and General Manager for the SMCTD, his last day is the end of the month. She has thanked him for his services to the county. Grace Martinez will be moving on to MTC working with Derek Hansel. She has thanked and wished her well. They are bringing in an interim CFO Kathleen Kelly.

### d) Policy/Program Manager Report.

Lacy Vong reported out that as it is the end of the year, and we have a lot going on as we prepare for the opening of the northern segment. It is a critical time in terms of testing the system and watching the weather. We have been meeting regularly with our partners at BAIFA, BATA, for the coordination opening. We continually get asked about the Community Transportation Benefits program. We recently got a request for more information about the program from the Oregon State DOT as well as the Washington State Transportation Commission. There are all very interested in this program because it is currently in implementation.

## 8.0 WRITTEN COMMUNICATIONS

None.

## 9.0 NEXT REGULAR MEETING

January 13, 2023

10.0 ADJOURNMENT – 10:05 A.M.