



METROPOLITAN TRANSPORTATION COMMISSION

Meeting Transcript



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2 **clerk of the board:** andersen?

3

4 **candace andersen:** here at my danville road office.

5

6 **clerk of the board:** commissioner canepa?

7

8 **david canepa:** here.

9

10 **clerk of the board:** el-tawansy is absent. Ashcraft?

11

12 **marilyn ezzy ashcraft:** here.

13

14 **clerk of the board:** john-baptiste?

15

16 **alicia john-baptiste:** here.

17

18 **clerk of the board:** we have a quorum.

19

20 **chair, sue noack:** should we have commissioner mashburn please
21 make your ab249 comments?

22

23 **mitch mashburn:** I would like to request under ab2449 I be
24 allowed to participate the meeting remotely until such a time



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1 I can reach my posted location. I don't know if that covers
2 what I need to ask or not?

3

4 **chair, sue noack:** there is nobody 18 or over with you.

5

6 **mitch mashburn:** not that I know of.

7

8 **counsel, kathleen kane:** I think this would fall under business
9 travel in that he's trying to get to the location in question.

10

11 **chair, sue noack:** so noted. Thank you. Item two is the pledge
12 of allegiance. All those able please stand and join and to the
13 republic for which it stands, one nation under GOD,
14 indivisible, with liberty and justice for all."

15

16 **chair, sue noack:** will the clerk please read the compensation
17 announcement? Result of convening a meeting for which each
18 member is entitled to collect such amount.

19

20 **chair, sue noack:** thank you. Agenda item four includes, as the
21 consent calendar, it includes agenda items 4a through 4d. Can
22 I have a motion and second to approve the consent calendar?

23

24 **speaker:** so moved.

25



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1 **marilyn ezzy ashcraft:** ezzy ashcraft seconds.

2

3 **chair, sue noack:** is there any commissioned want that to
4 comment on these items? Is there any public comment?

5

6 **clerk, martha silver:** there is no written correspondence
7 received on this item and there is no one in the boardroom or
8 zoom wishing to speak on this item.

9

10 **chair, sue noack:** can we have a roll call vote please.

11

12 **clerk, martha silver:** yes. Chair noack?

13

14 **chair, sue noack:** yes.

15

16 **clerk, martha silver:** vice chair mashburn?

17

18 **v. Chair, mitch mashburn:** yes.

19

20 **clerk, martha silver:** commissioner andersen?

21

22 **candace andersen:** yes.

23

24 **clerk, martha silver:** canepa?

25



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1 david canepa: yes.

2

3 clerk, martha silver: ashcraft?

4

5 marilyn ezzy ashcraft: yes.

6

7 clerk, martha silver: john-baptiste?

8

9 alicia john-baptiste: yes.

10

11 clerk, martha silver: motion passes unanimously by all members
12 present.

13

14 chair, sue noack: great. Thank you. Agenda item 5a is a public
15 hearing proposed amendment to the bay area infrastructure
16 finance authority toll facility ordinance dated JULY 27th,
17 2016 amended and restated JANUARY 22nd, 2020 and SEPTEMBER
18 23rd, 2020. JUNE 22nd, 2022. This is a public hearing on the
19 proposed amendment the public hearing is now opened a
20 certified shorthand reporter is strain scribing these
21 proceedings if you wish to testify please submit a speaker
22 card or raise your hand. Comments on proposed amendment to bay
23 area infrastructure finance authority toll facility ordinance
24 which was released for public review on APRIL 7th, 2025 by way
25 of background staff provided overview of proposed changes to



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1 the existing toll facility ordinance of baifa network and
2 operations committee at MARCH 14th 2025 meeting and amended
3 the restated toll authority ordinance posted on mtc's web site
4 beginning on APRIL 7th, 2025 provisions were made to receive
5 hard copies by mail if needed in APRIL legal notices were
6 published multiple times in multiple languages in newspapers
7 and san francisco alameda contra costa solano santa clara
8 counties announcing the opening of a 30 day public comment
9 period identifying today's public hearing to receive oral
10 testimony and written comments about baifa's proposed amended
11 restated toll facility ordinance the public comment period
12 started on APRIL 9th, 2025 and closes MAY 9th, 2025 written
13 comments can be submitted to mtc until 5:00 P.M. Today MAY
14 9th, 2025 considered oral comments will be received into the
15 close of this hearing written comments can be submitted to
16 mtc's public information office by e-mail at
17 info@bayareametro.Gov or by usps by 5:00 P.M. Today MAY 9th
18 staff will prepare summary of all public comments received to
19 inform our decision-making on the proposed amendment proposed
20 amended restated baifa toll facility ordinance will be
21 considered for adoption by the authority at its JUNE 25th,
22 2025 meeting its title is bay area infrastructure finance
23 authority toll facility ordinance as state JULY 27th, 2016 as
24 amended and restated JANUARY 22nd, 2020, SEPTEMBER 23rd, 2020,
25 and JUNE 22nd, 2020 -- 2022. A lot of twos in there. In the



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1 following resolution and laws adopted and incorporated into
2 the ordinance about resolution number 52 revised article four
3 division 17 of the vehicle code I'll ask diana dorinson to
4 provide overview of the proposed amendment to the baifa
5 facility ordinance before public comment begins.

6

7 **diana dorinson:** I'm diana dorinson principle with mtc express
8 lanes I'll present the information item as context for the
9 formal public hearing on proposed amendments to the baifa toll
10 facility ordinance. Can I have the presentation brought up?
11 Thank you. And let's go to the next slide. Thank you. As a
12 reminder, the toll facility ordinance is the legal document
13 which lays out our toll policy for express lanes customers so
14 they understand the rules of the road and how violations of
15 those rules will be addressed we enforce the toll ordinance
16 through combination of camera based monitoring to identify
17 vehicles that are traveling in express lanes without a fastrak
18 account and chp patrols to site vehicles that violate the
19 state traffic laws such as occupancy rules and crossing double
20 white lines. Toll ordinance plies to all of baifa's express
21 lanes which are shown on the blue map on this slide interstate
22 680, contra costa county interstate 880 alameda county and
23 through the amendment the future express lanes interstate 80
24 solano county the agency partners that operate other beys bay
25 area express lanes which are shown in the gray on this map



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1 have their own toll ordinance. Next slide. Baifa adopted its
2 toll ordinance in 2016 and lead up to the opening of the
3 express lanes on I 680 since then baifa has amended the toll
4 ordinance three times to add new express lanes and keep
5 policies up-to-date. Process to amend the toll ordinance
6 include requirement for public comment period including public
7 hearing which provides opportunity for decision makers to hear
8 from constituents about policies and procedures on the primary
9 reason we are bringing forward the toll ordinance amendment.
10 We folded in other policy updates that we will need to make in
11 the near future as part of the same amendment effort to make
12 sure we're staying ahead of the developments both inside and
13 outside our agency. Attach b in your packet presents full toll
14 facility ordinance with changes that show modifications that
15 are being proposed for consideration next month I'll summarize
16 five key changes now. The amendment would extend baifa's toll
17 rules new express lanes being constructed on I80 in solano
18 counties, I80 must be added to the ordinance before express
19 lanes operations can begin later this year second a change
20 being proposed to extend the period over which baifa is
21 allowed to conduct pilot programs especially to evaluate
22 different operational practices and today pilot r pilot
23 limited to three years this amendment would allow for
24 additional three years in circumstances which means maxim
25 pilots duration would be six years revised language clarify



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1 pilots can test alternative hours of operation and days of the
2 week currently being considered is for potential pilot of
3 weekend hours on I80 third proposed amendment would update the
4 minimum toll per zone from \$0.50 up to \$0.75 for all baifa
5 express lanes and minimum toll when there is little or no
6 congestion and proposed increase insures cost recovery. The
7 federal law that permit vehicles to use carpool lanes without
8 qualifying number of occupants is scheduled tonaled SEPTEMBER
9 30th, 2025 our discount would also end at the same time unless
10 federal law is amended prior to that date. lastly the
11 amendment would update the list of toll facilities on I 680 to
12 reflect the gap closer between baifa's express lanes and
13 contra costa county and express lanes operated by the alameda
14 county transportation commission farther southbound extension
15 is expected to begin operations next year. Today's public
16 hearing is opportunity for baifa to listen to the public's
17 feedback about our policies as one operator in a regional
18 network baifa must consider how its policies relate to other
19 partner operators who manage other express lanes in the bay
20 area we try to be responsive to suggestions but it tames time
21 to coordinate and reach conscience all partner operators in
22 the bay area try to prioritize regional consistency in our
23 policies. While baifa MAY not be able to act on public input
24 immediately the feedback we receive is an important of the
25 larger conversation we have with partner agencies on



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1 continuously improving our facilities for all users. Next
2 slide please. This slide shows the overwhelm schedule for the
3 toll amendment ordinance process. I'll provide additional
4 details on the various outreach activities on the next slide
5 but one thing to note here is this public hearing is not the
6 end of the process we're currently in the public comment phase
7 which will end today at 5:00 P.M. The actual votes to approve
8 and adopt the toll ordinance amendment will be placed on the
9 agenda for next month's committee and authority meetings. Next
10 slide please. California law requires baifa to follow a
11 specified process when it amends the toll ordinance. The items
12 in the set of bullets on the left side of this slide highlight
13 key features of this process which are publication of formal
14 notice of baifa is absent to amend the ordinance, public
15 comment period and at least one public hearing to receive oral
16 testimony. Baifa's practice for toll ordinance amendment is to
17 hold comment periods f open for 30 days. To help raise
18 awareness the plan changes express lane network opportunity
19 for the public to share feedback on the toll ordinance staff
20 also conducted outreach activities we distributed a press
21 release news story cross posted information to mtc home page
22 and 511.Org we published dedicated web page with key
23 information about the toll ordinance to include fact sheets in
24 five languages faqs youtube video and web form to receive
25 comments we developed a social media campaign to increase



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1 visibility outside of traditional print media that include
2 organic posts to mtc related social media accounts paid
3 digital ads five languages paid search promotions and worked
4 with one of our cbo partners in solano can't we held a public
5 webinar on APRIL 23rd to answer questions, and discussed the
6 toll ordinance amendment public comment period as part of the
7 informational item on I80 project at a recent board meeting of
8 solano transportation authority. Next slide. The public
9 comment herd has been open 30 days with options to submit
10 comments via web form e-mail U.S. Mail and fax baifa has
11 received relatively few comments so far during this comment
12 period most comments received have centered on concerns around
13 cost and fairness of tolling with remaining comments spread
14 out over topics such as climate change greenhouse gas
15 emissions and hov and sav discounts. Baifa can also consider
16 feedback in its deliberations on the amendment. To provide
17 additional context for you I would like to share examples of
18 typical themes and comments from pyre amendment cycles and how
19 baifa responded to that feedback. Equity and cost concerns
20 have been raised before in 2020 when I-880 corridor was added
21 to the network in 2022 when northern extension on I 680 was
22 added. The express lane start pilot program discounted tolls
23 oichlt 880 for low-income residents after working on efforts
24 potentially to expand that pilot to the new I80 corridor in
25 solano county also taken other steps to lessen cost burdens



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1 for express lane users including reducing violation penalties
2 and participating in low-income toll payment plan and
3 supporting data equity action plan. Completion of initially
4 pilot that can provide confirmation of had. Ov statutes and
5 corresponding eligibility for reduced tolls or free travel
6 staff are currently evaluating potential next steps for
7 testing apps and other technologies that have potential to
8 supplement traditional chp enforcement patrols we review and
9 develop express lanes policy. Next slide. In terms of next
10 steps oral comments received today during the hearing will be
11 recorded baifa can choose to accept proposed amendments modify
12 the proposed amendment language or choose not to move forward
13 with the amendment final committee recommendation will be
14 presented as an action item at the baifa meeting on JUNE 25th.
15 If adopted the amended restated toll facility ordinance
16 becomes effective 30 days later in JULY. Next slide please. So
17 this concludes my presentation and I'll hand it back to the
18 chair.

19

20 **chair, sue noack:** thank you. We'll now receive oral testimony
21 on baifa proposed amended and restated toll facility
22 ordinance. Once again, if you choose to testify please submit
23 a speaker card or if on zoom use the raised hand feature or
24 dial star nine. We ask that each speaker be brief concise and



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1 keep comments to no more than two minutes. Do we have any
2 public comments?

3

4 **clerk, martha silver:** there was no written correspondence
5 received on this item and there is mown no one in the
6 boardroom or zoom wishing to speak on this item.

7

8 **chair, sue noack:** okay. Already answered MAY question on the
9 written one. In addition to -- well, there weren't any
10 comments. All written comments received prior to 5:00 P.M.
11 Today will be posted to mtc's web site at [mtc.ca.gov/baifa-](http://mtc.ca.gov/baifa-toll-ordinance)
12 [toll-ordinance](http://mtc.ca.gov/baifa-toll-ordinance) . And will become part of the record on of
13 these proceedings. Are there any commissioners who would like
14 to comment on this item?

15

16 **marilyn ezzy ashcraft:** commissioner mashburn had has hand up.

17

18 **chair, sue noack:** sorry commissioner mashburn.

19

20 **v. Chair, mitch mashburn:** sorry. I didn't realize my hand was
21 up but I want to thank staff for their efforts for the
22 inclusion of the new solano can't portion in the proceedings
23 and they we do support the new policies and changes and thank
24 you, again, to staff for all their efforts.

25



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1 **chair, sue noack:** okay thanks. Any other commissioner
2 comments? No. Okay. I declare this hearing be closed however
3 the public comment period will be open until 5:00 P.M. Today
4 MAY 9th, 2025 and mtc staff will continue to accept written
5 comments until then I asked staff to present a summary of
6 public comments received through 5:00 P.M. Today at the JUNE
7 13th, 2025 meeting of bay area infrastructure finance
8 authority behave knock the committee will consider whether to
9 recommend that the authority adopt proposed amendment and
10 restayed toll facility ordinance at its meeting on JUNE 25th,
11 2025. I'll move to agenda item six public comment or other
12 business is there any general public comment for items not for
13 this item, and there no members in the boardroom or zoom
14 wishing to speak on this item.

15

16 **chair, sue noack:** great moving to item seven which is
17 adjournment. The next meeting of the bay area infrastructure
18 finance authority network and operations committee will be
19 held on friday JUNE 13th, 2025 at 9:35 A.M. The meeting will
20 be held at the bay area metro center 375 beale street san
21 francisco california any changes to the schedule will be duly
22 noticed to the public. This

23



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