

**METROPOLITAN
TRANSPORTATION
COMMISSION**
Meeting Transcript



November 17, 2021

1 **METROPOLITAN TRANSPORTATION COMMISSION**
2 **BAY AREA INFRASTRUCTURE FINANCING AUTHORITY**
3 **WEDNESDAY, NOVEMBER 17, 2021, 9:50 A.M.**

4
5 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. GOOD MORNING, EVERYONE. I'M
6 GOING TO CALL TO ORDER THE BAY AREA INFRASTRUCTURE FINANCING
7 AUTHORITY TO ORDER FOR NOVEMBER 17TH. MY NAME IS ALFREDO
8 PEDROZA, CHAIR, ALONG WITH VICE CHAIR AMY WORTH. IF WE CAN
9 PLEASE PLAY THE BROADCASTING ANNOUNCEMENT.

10

11 **ANNOUNCEMENT:** DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED
12 AS A ZOOM WEBINAR PURSUANT TO THE PROVISIONS OF ASSEMBLY BILL
13 361 WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE BROWN ACT. THIS
14 MEETING IS BEING WEBCAST ON THE MTC WEBSITE. THE CHAIR WILL
15 CALL UPON COMMISSIONERS, PRESENTERS, STAFF, AND OTHER
16 SPEAKERS, BY NAME, AND ASK THAT THEY SPEAK CLEARLY AND STATE
17 THEIR NAMES BEFORE GIVING COMMENTS OR REMARKS. PERSONS
18 PARTICIPATING VIA WEBCAST AND ZOOM, WITH THEIR CAMERAS
19 ENABLED, ARE REMINDED THAT THEIR ACTIVITIES ARE VISIBLE TO
20 VIEWERS. COMMISSIONERS AND MEMBERS OF THE PUBLIC PARTICIPATING
21 BY ZOOM, WISHING TO SPEAK, SHOULD USE THE RAISE HAND FEATURE
22 OR DIAL STAR 9, AND THE CHAIR WILL CALL UPON THEM AT THE
23 APPROPRIATE TIME. TELECONFERENCE ATTENDEES WILL BE CALLED UPON
24 BY THE LAST FOUR DIGITS OF THEIR PHONE NUMBER. IT IS REQUESTED
25 THAT PUBLIC SPEAKERS STATE THEIR NAMES AND ORGANIZATION, BUT



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1 PROVIDING SUCH INFORMATION IS VOLUNTARY. WRITTEN PUBLIC
2 COMMENTS RECEIVED AT INFOATBAYAREAMETRO.GOV BY 5 P.M.
3 YESTERDAY WILL BE POSTED TO THE ONLINE AGENDA AND ENTERED INTO
4 THE RECORD BUT WILL NOT BE READ OUT LOUD. IF AUTHORS OF THE
5 WRITTEN CORRESPONDENCE WOULD LIKE TO SPEAK, THEY ARE FREE TO
6 DO SO. THEY SHOULD RAISE THEIR HAND AND THE CHAIR WILL CALL
7 UPON THEM AT THE APPROPRIATE TIME. A ROLL CALL VOTE WILL BE
8 TAKEN FOR ALL ACTION ITEMS. PANELISTS AND ATTENDEES SHOULD
9 NOTE THAT THE CHAT FEATURE IS NOT ACTIVE. IN ORDER TO GET THE
10 FULL ZOOM EXPERIENCE, PLEASE MAKE SURE YOUR APPLICATION IS UP
11 TO DATE.

12

13 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. THANK YOU FOR THAT, ALEX.
14 ITEM 1 AND PLEASE DO ROLL CALL

15

16 **KIMBERLY WARD, CLERK:** PEDROZA

17

18 **ALFREDO PEDROZA, CHAIR:** HERE

19

20 **KIMBERLY WARD, CLERK:** DUTRA-VERNACI?

21

22 **CAROL DUTRA-VERNACI:** HERE

23

24 **KIMBERLY WARD, CLERK:** GLOVER?

25



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1 **FEDERAL GLOVER:** --

2

3 **KIMBERLY WARD, CLERK:** COMMISSIONER GLOVER IS ABSENT. SPERING?

4

5 **JAMES SPERING:** PRESENT

6

7 **KIMBERLY WARD, CLERK:** WORTH?

8

9 **AMY WORTH:** HERE.

10

11 **KIMBERLY WARD, CLERK:** THANK YOU, QUORUM IS PRESENT.

12

13 **ALFREDO PEDROZA, CHAIR:** THANK YOU KIMBERLY. LET'S MOVE ON TO

14 ITEM 2, OUR CONSENT CALENDAR. DO WE HAVE A MOTION FOR A

15 CONSENT?

16

17 **AMY WORTH:** MOVE APPROVAL WORTH

18

19 **SPEAKER:** DUTRA-VERNACI SECOND

20

21 **ALFREDO PEDROZA, CHAIR:** SECOND BY DUTRA-VERNACI. KIMBERLY DO

22 WE HAVE ANY PUBLIC ON THIS ITEM?

23

24 **KIMBERLY WARD, CLERK:** I RECEIVED NOTHING IN WRITING AND I SEE

25 NO MEMBER OF THE PUBLIC WITH THEIR HAND RAISED



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1

2 **ALFREDO PEDROZA, CHAIR:** LET'S PROCEED WITH THE ROLL CALL VOTE

3

4 **KIMBERLY WARD, CLERK:** SURE. PEDROZA?

5

6 **ALFREDO PEDROZA, CHAIR:** YES

7

8 **KIMBERLY WARD, CLERK:** DUTRA-VERNACI

9

10 **CAROL DUTRA-VERNACI:** AYE

11

12 **KIMBERLY WARD, CLERK:** GLOVER? IS ABSENT. SPERING?

13

14 **JAMES SPERING:** AYE

15

16 **KIMBERLY WARD, CLERK:** WORTH?

17

18 **AMY WORTH:** AYE.

19

20 **KIMBERLY WARD, CLERK:** THANK YOU. THE MOTION PASSES UNANIMOUSLY

21 BY ALL MEMBERS PRESENT.

22

23 **ALFREDO PEDROZA, CHAIR:** THANK YOU VERY MUCH KIMBERLY. MOVING

24 ON TO ITEM 3 EXPRESS LANES EXECUTIVE STEERING COMMITTEE, A

25 MEMORY UNDERSTANDING BETWEEN BAY AREA EXPRESS LANES OPERATORS,



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1 COUNTY TRANSPORTATION AUTHORITIES, BATA, CAL TRANS, THE
2 CALIFORNIA HIGHWAY PATROL FORMALIZING THE FUNCTION OF AN
3 EXECUTIVE STEERING COMMITTEE FOR THE PURPOSE OF DEVELOPING
4 CONSISTENT POLICIES AND RECOMMENDATIONS FOR POLICY BOARDS AND
5 OTHER COORDINATION EFFORTS. STEPHEN IS PRESENTING THE ITEM.
6 STEPHEN TAKE IT AWAY

7

8 **SPEAKER:** GOOD MORNING, THIS IS LISA KLEIN WITH MTC AND BAIFA,
9 I'LL PRESENT ON STEPHEN'S BEHALF

10

11 **ALFREDO PEDROZA, CHAIR:** HEY LISA

12

13 **SPEAKER:** HAPPY TO BE HERE AND HAPPY TO DO SO. IN THE INTEREST
14 OF TIME TODAY I THINK WE HAVE SOME PRETTY IN DEPTH ITEMS TO
15 FOLLOW ON THIS AGENDA I'M GOING TO SKIP THE SLIDE DECK AND
16 MAKE A FEW REMARKS OF THE MMU AND THEN I'M HAPPY TO TAKE
17 QUESTIONS. THE COMMISSIONER AND BAIFA HAS WELL HAS BEEN VERY
18 INTERESTED IN THE QUESTION OF HOW WE CAN MAKE EXPRESS LANES
19 MORE CONSISTENT AND SEAMLESS FOR OUR USERS, OUR BAY AREA USERS
20 AND THE EXPRESS LANES STRATEGIC PLAN WHICH MTC ADOPTED EARLIER
21 THIS SPRING DID NOTE THIS. AND IT INCLUDED AN ACTION PLAN -
22 - AN ACTION ITEM, AN ACTION STEP, TO DEVELOP THIS MEMORY OF
23 UNDERSTANDING THAT IS BEFORE YOU TODAY. SO WE'RE REQUESTING
24 AUTHORITY TO EXECUTE THIS MMU AMONG A VARIETY OF PARTNERS THAT
25 CHAIR PEDROZA MENTIONED. IT WAS DEVELOPED WITH THE PARTNERS



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1 OVER THE PAST SEVERAL MONTHS AND IT REALLY FORMALIZES A
2 FRAMEWORK WHERE STAFFS WOULD COLLECTIVELY EVALUATE POLICIES
3 RELATED TO TOLLING AND EXPRESS LANES. AND THEN MAKE
4 RECOMMENDATIONS TO OUR RESPECTIVE BOARDS. AND THAT
5 RECOMMENDATION WOULD INCLUDE REPRESENTATION OF THE THINKING OF
6 THE DELIBERATIONS OF THE STAFF AND THE DEGREE TO WHICH THOSE
7 RECOMMENDATIONS ARE CONSISTENT. YOU KNOW, THE BOARDS -- THE
8 WAY THE SYSTEM WORKS, THE BOARDS DO HAVE AUTHORITY OVER THEIR
9 OWN LANES. YOU KNOW, BAIFA, ALAMEDA, CTC, BTA, SO FORTH. AND
10 THE GOAL OF COURSE IS TO HAVE MORE CONSISTENT POLICIES FOR THE
11 SAKE OF CUSTOMERS, DISCOUNT FOR CLEAN AIR VEHICLES, VIOLATION
12 PENALTIES AND SO FORTH. AND I DO WANT TO ACKNOWLEDGE THE
13 AGENCIES AND OUR STAFFS HAVE BEEN WORKING VERY HARD TO TRY TO
14 STAY CONSISTENT. AND THIS -- I THINK THIS IS JUST A REALLY
15 NICE STEP TO FORMALIZE THAT PROCESS AND KEEP THAT IMPORTANCE
16 OF CONSISTENCY REALLY FOREFRONT FOR ALL OF THE BOARDS. THANK
17 YOU.

18

19 **ALFREDO PEDROZA, CHAIR:** THANK YOU LISA. I THINK THIS IS A PART
20 ITEM. YOU COVERED IT VERY WELL WITHOUT THE PRESENTATION AND
21 AGAIN I THINK IT IS ONE OF MANY STEPS TO COME. AND THIS IS
22 SOMETHING THE COMMISSIONERS HAD A LOT OF DISCUSSION ON. LET ME
23 SEE IF THERE'S ANY COMMISSIONER COMMENTS? VICE CHAIR
24 JOSEFOWITZ?

25



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1 **NICK JOSEFOWITZ, VICE CHAIR:** THANK YOU. I'M SORRY. I STILL -
2 - I STILL DON'T FULLY UNDERSTAND, LISA. THIS IS LIKE -- COULD
3 YOU EXPLAIN TO ME THE PATHWAY TO MAKING SURE THAT EVERYBODY IS
4 PROCESSES -- EVERYBODY'S SORT OF RULES ARE CONSISTENT? BECAUSE
5 THIS DOESN'T -- THE MOU DOESN'T REQUIRE THE RULES TO BE
6 CONSISTENT, IT JUST KIND OF LIKE ADDS A LITTLE BIT MORE
7 SCRUTINY AND PROCESS TO IT?

8

9 **SPEAKER:** YEAH. ESSENTIALLY YOU ARE RIGHT. I MEAN THE MOU
10 DOESN'T REQUIRE CONSISTENCY THAT IS BEYOND -- THAT IS BEYOND
11 MTC OR BAIFA'S AUTHORITY, RIGHT? THE BOARDS DO HAVE
12 INDEPENDENT AUTHORITY. YOU KNOW AND -- SO I THINK WHAT THIS
13 DOES IS IT PUTS THAT QUESTION FOREFRONT, HOWEVER, WHENEVER ANY
14 INDIVIDUAL BOARD IS MAKING A DECISION AND IT ALSO JUST
15 FORMALIZES A STRUCTURE WHERE STAFF, YOU KNOW, WILL CONSULT
16 BEFORE ANY ONE BOARD IS SET TO MAKE A DECISION. SO EVERYONE
17 HAS AN OPPORTUNITY TO CONSIDER IT AND WEIGH IN. SO I THINK,
18 YOU KNOW, CHAIR PEDROZA SAID THIS IS A -- YOU KNOW, A STAFF OF
19 POTENTIALLY FUTURE STEPS TO COME. AND I THINK THAT IS A GOOD
20 WAY TO LOOK AT IT. I THINK THIS IS AN IMPORTANT FIRST STEP
21 THAT BUILDS ON THE AUTHORITY THAT WE HAVE, YOU KNOW, THE WAY
22 THE AUTHORITY EXISTS TODAY IN STATUTE.

23

24 **NICK JOSEFOWITZ, VICE CHAIR:** SO THANK YOU. AND I REALLY HOPE
25 THIS IS THE FIRST STEP BECAUSE I THINK IT IS -- YOU KNOW, WE



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1 JUST WENT THROUGH, LIKE, A -- TWO DIFFERENT PROCESSES ON THE
2 TRANSIT SIDE TO TRY AND, YOU KNOW, KIND OF -- WHICH WAS REALLY
3 ABOUT REGIONAL COORDINATION, BOTH THE BLUE RIBBON AND THE FAIR
4 TASK FORCE. AND YOU KNOW, IT WAS REALLY A -- YOU KNOW, WE -
5 - SO MANY PEOPLE SPENT SO MANY HOURS TRYING TO SORT OF FIX THE
6 PROBLEMS OF -- THAT WE HAVE KIND OF CREATED FOR OURSELVES BY
7 LETTING US GET OURSELVES INTO THIS. YOU KNOW, I DON'T WANT TO
8 HAVE TO BE ON ANOTHER BLUE RIBBON TASK FORCE TO JUST KIND OF
9 SYNC UP OUR EXPRESS LANE POLICIES IN TWO OR FOUR YEARS GIVEN
10 HOW AGGRESSIVE OUR EXPRESS LANES BUILD OUT PLANS ARE. SO I'D
11 REALLY LIKE TO SEE US COME UP WITH A PLAN FOR HOW WE CAN
12 ACTUALLY NOT JUST TAKE THIS FIRST STEP BUT TAKE THE NEXT STEPS
13 THAT ARE NEEDED TO DRIVE THE CONSISTENCY AND NOT -- AND NOT
14 THAT EVERY EXPRESS LANE NEEDS TO BE TOTALLY IDENTICAL. I THINK
15 THAT IS -- WE NEED TO UNDERSTAND WHERE THERE NEEDS TO BE
16 CONSISTENCY AND WHERE THERE SHOULDN'T BE. BUT I THINK WE
17 REALLY NEED A PLAN FOR HOW TO DO THAT. AND I SEE OUR EXECUTIVE
18 DIRECTOR JUST STUCK UP HER HAND AS A RESULT OF THAT. I HAVE
19 ONE OTHER COMMENT BUT -- MAYBE -- THE OTHER ONE IS I HOPE WE
20 CAN HAVE CONSISTENCY AROUND KIND OF THE EQUITY, THE WHOLE
21 SUITE OF EQUITY POLICIES, IN TERMS OF, YOU KNOW, THE ONES THAT
22 WE'RE CONSIDERING AROUND BATA AS WELL IN TERMS OF FINES AND
23 FEES AND NOTIFICATIONS AND PAYMENT PLANS AND LOW INCOME
24 DISCOUNTS AND THINGS LIKE THAT. I THINK THAT -- THAT IS
25 INCREDIBLY IMPORTANT. AND SOME OF THEM ARE CALLED OUT IN YOUR



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1 POWER POINT. AND -- BUT I JUST WANTED TO MAKE A REAL POINT OF
2 THAT. BECAUSE IT IS NOT JUST TOLL DISCOUNTS. IT IS -- IT GOES
3 BEYOND THAT.

4

5 **ALFREDO PEDROZA, CHAIR:** THANK YOU, NICK. LET'S GO TO
6 COMMISSIONER WORTH AND THEN WE'LL GO TO OUR EXECUTIVE
7 DIRECTOR.

8

9 **AMY WORTH:** GREAT, MR. CHAIR, THANKS FOR THOSE COMMENTS. FIRST
10 I WANT TO THANK STAFF FOR BRINGING THIS FORWARD. AND YOU KNOW,
11 I WANT TO CONCUR WITH COMMISSIONER JOSEFOWITZ'S COMMENTS. IN
12 TERMS OF WHAT WE -- KEEPING THE MOMENTUM MOVING FORWARD. I
13 THINK FROM THE VERY FIRST DAY WE HAD THESE EXPRESS LANE
14 MEETINGS, SITTING IN CONFERENCE ROOM IN THE OLD BOARD, IN THE
15 OLD BUILDING, TALKING ABOUT -- WE WERE MINDFUL OF THAT ISSUE.
16 WE DID NOT TURN INTO AGENCIES WITH DIFFERENT RULES DIFFERENT
17 COORDINATION, I THINK DURING THE COURSE OF THIS PROCESS, FROM
18 THE FIRST EXPRESS LANE THAT MTC DID, WE HAVE -- THERE'S BEEN A
19 REAL CONSCIOUS PROCESS TO KEEP -- TO HAVE CONSISTENCY, THINGS
20 LIKE WHAT DISCOUNT DO ELECTRIC VEHICLES GET? WHAT ARE THE
21 HOURS OF OPERATION? WHAT ARE THE -- YOU KNOW, THE OPERATIONAL
22 SIDE. AND I KNOW IT HAS BEEN A HUGE AMOUNT OF WORK FOR STAFF
23 AND THE FOLKS WORKING ON THIS CONSISTENCY. SO AS NICK AS YOU
24 POINTED OUT ON THE ISSUES OF EQUITY AND CONSISTENCY AND THOSE
25 POLLS AND FINES AND THOSE KINDS OF THINGS, THAT'S THE HARD



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1 WORK THAT WE NEED TO DO WITH ALL OF THE AGENCIES INVOLVED. SO
2 THIS STRUCTURE PRESENTS THE FIRST -- THE PERFECT FORMAT TO DO
3 THAT. SO -- AND I ALSO THINK, AS YOU SAID, OUR -- IN OUR PLAN
4 BARRIER 2050, WE ANTICIPATE BUILDING OUT EXPRESS LANES, THE
5 WHOLE ISSUE OF THINGS LIKE, THE TRANSIT PRIORITY IN OUR
6 CORRIDORS, THOSE ARE THE KINDS OF THINGS THIS IS A GROUP THAT
7 CAN REALLY TACKLE THOSE ISSUES AS YOU SAID IN THE IDEA OF
8 CONSISTENCY AND THEN BRING THAT BACK TO THE LARGER, YOU KNOW,
9 GROUP SO THAT WE CAN MOVE THESE INITIATIVES FORWARD

10

11 **ALFREDO PEDROZA, CHAIR:** THANK YOU, COMMISSIONER WORTH.

12 EXECUTIVE DIRECTOR MCMILLAN

13

14 **SPEAKER:** THANK YOU, MR. CHAIR. AND JUST WANTED TO MAKE THREE
15 OBSERVATIONS THAT ARE APROPOS OF THIS DISCUSSION BUT ALSO
16 THINGS WE'LL BE HEARING, YOU KNOW, IN THE REMAINING ITEMS AND
17 TO KEEP IN MIND. YOU KNOW, VERY SIMILAR TO THE NETWORK
18 MANAGEMENT BUSINESS CASE THAT WE'RE GOING TO BE PURSUE ING AS
19 PART OF THE FOLLOW UP FROM THE BLUE RIBBON, IT IS ALL ABOUT
20 AUTHORITY. RIGHT? AND WHAT EXISTS VERSUS WHAT -- WHERE IT
21 DOESN'T EXIST AND HOW AFFECTIVELY YOU MOVE IN THAT SPACE. SO
22 AS LISA POINTED OUT, A LARGE PART OF WHAT WE STRUCTURED IS
23 WHAT WAS BASED WITHIN WHAT AUTHORITIES ARE AUTHORED RIGHT NOW.
24 AND THAT'S JUST SOMETHING WE OBVIOUSLY NEED TO KEEP IN MIND. I
25 VERY MUCH VALUED VICE CHAIR JOSEFOWITZ'S NOTATION ABOUT NEED



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1 VERSUS DESIRE. I THINK THAT IS VERY IMPORTANT. AND YOU KNOW, I
2 THINK THERE ARE -- THERE IS A SPECTRUM OF THINGS WHERE, YOU
3 KNOW THAT -- THE EFFICACY AND EQUITY AND OTHER THINGS OF THE
4 SYSTEM -- OF REALLY HAVING THE EXPRESS LANES WORK AS A SYSTEM
5 IS CLEARLY AN OUTCOME AND OBJECTIVE THAT WE WANT TO HAVE. BUT
6 I WOULD SAY TO MY THIRD POINT, WE ALSO NEED TO BE CAREFUL OF
7 WHEN WE -- WHEN WE WANT IMPORTANT POLICIES THAT THE COMMISSION
8 AND BAIFA WANT TO PROCEED AHEAD. BECAUSE THEY NEED TO GET
9 DONE. AND YOU DON'T WANT TO SLOW DOWN OR DELAY THEM FOR THE
10 SAKE OF CONSISTENCY. AND I WOULD SAY IT IS JUST SOMETHING WE
11 WANT TO KEEP IN MIND, PARTICULARLY WHEN WE'RE LOOKING AT, YOU
12 KNOW, EQUITY POLICIES AND HOW WE START MOVING FORWARD IN THAT
13 SPACE. SO, AGAIN, IT IS NOT -- THESE OBSERVATIONS AREN'T
14 SPECIFIC TO ANY PARTICULAR ELEMENT AT THIS POINT. BUT JUST
15 SOMETHING TO KEEP IN MIND AS AN OVERLAY AS WE, YOU KNOW,
16 TACKLE THE GOING FORWARD. AND WHAT WE CERTAINLY WANT AS, YOU
17 KNOW, THE ULTIMATE AND THEN THE PRACTICALITY OF HOW WE BALANCE
18 THAT WITH, YOU KNOW, EXISTING OR NEEDED AUTHORITIES GOING
19 FORWARD

20

21 **ALFREDO PEDROZA, CHAIR:** THANK YOU THERESE, VICE CHAIR
22 JOSEFOWITZ

23

24 **NICK JOSEFOWITZ, VICE CHAIR:** I APPRECIATE THOSE COMMENTS. BUT
25 YOU KNOW, I'M CHANNELLING COMMISSIONER HAGGERTY WHO TAUGHT ME



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1 A LOT, UNFORTUNATELY AND I KNOW IT IS BADGERING ABOUT THIS
2 SAME EXACT ISSUE IF HE WERE HERE, COULD WE COME BACK WITH A
3 PLAN ACKNOWLEDGING ALL OF THE LIMITATIONS THAT YOU LAID OUT,
4 THERESE OF AUTHORITY AND THIS AND THAT AND ACKNOWLEDGE --

5

6 **SPEAKER:** YEAH, I'M NOT SAYING WE WOULDN'T COME BACK WITH A
7 PLAN

8

9 **NICK JOSEFOWITZ, VICE CHAIR:** OKAY

10

11 **SPEAKER:** I'M JUST SAYING THAT THE PLAN WOULD INCLUDE -- PART
12 OF OUR JOB IS TO BE ABLE TO CLARIFY, YOU KNOW, THOSE SPACES
13 THAT WE CAN -- SO, YES, I AGREE, YEAH

14

15 **NICK JOSEFOWITZ, VICE CHAIR:** SO, THANK YOU. I APPRECIATE
16 THAT. BECAUSE EVEN JUST FROM SAN FRANCISCO'S PERSPECTIVE, YOU
17 KNOW, WE WERE CONSIDERING EXPRESS LANES. AND, YOU KNOW, IF
18 EVERYBODY ELSE IS GETTING LIKE -- THERE'S NO CONSISTENCY IN
19 THE REGION, WHAT'S THE -- WHY WOULD SAN FRANCISCO JOIN UP WHEN
20 EVERYBODY ELSE CAN KIND OF BASICALLY DO WHAT THEY WANT AS
21 WELL? I THINK AS WE EXPAND OUR EXPRESS LANES TO SORT OF NORMAL
22 COUNTIES, WE'VE GOT TO GIVE PEOPLE A REASON TO JOIN UP TO A
23 CERTAIN EXTENT AND WE'VE GOT TO HAVE THAT REGIONAL CONSISTENCY
24 OTHERWISE IT IS JUST GOING TO BE EVEN MORE FRAGMENTATION.
25 ANYWAYS, I SAID ENOUGH AND I APPRECIATE STAFF BEING WILLING TO



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1 COME BACK WITH SOME SORTS OF STEPS 1, 2, 3, 4, BEYOND THIS AND
2 I'M EXCITED THIS IS HAPPENING

3

4 **ALFREDO PEDROZA, CHAIR:** THANK YOU, VICE CHAIR JOSEFOWITZ,
5 THANK YOU STAFF FOR THAT RESPONSE. I DON'T SEE ANY OF THE
6 COMMISSIONERS WITH THEIR HANDS RAISED. DO WE HAVE ANY PUBLIC
7 COMMENT ASSOCIATED WITH THIS ITEM?

8

9 **KIMBERLY WARD, CLERK:** WE DO. I DON'T HAVE -- I HAVE RECEIVED
10 NOTHING IN WRITING. AND ROLAND LEBRON HAS HIS HAND RAISED.
11 MR. LA BRAUN, IF YOU HAVE YOUR UNMUTE, HAVE YOU TWO MINUTES

12

13 **SPEAKER:** THANK YOU, MR. CHAIR. I WANT TO SAY TWO WORDS, THANK
14 YOU TO LISA FOR THE PRESENTATION. BUT HAVING LISTENED TO VICE
15 CHAIR JOSEFOWITZ'S CONCERNS, I DO APPRECIATE DIRECTOR
16 MCMILLAN'S DIPLOMACY BUT I THINK THE TIME HAS COME TO WAIVE
17 SOME SERIOUS CARROTS AND STICKS, INCLUDING LEGISLATION, IF
18 THAT'S WHAT IT TAKES. THAT'S MY TWO CENTS FOR NOW. THANK YOU.

19

20 **ALFREDO PEDROZA, CHAIR:** THANK YOU, ROLAND.

21

22 **KIMBERLY WARD, CLERK:** THERE ARE NO ADDITIONAL HANDS RAISED,
23 MR. CHAIR.

24



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1 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. SO BRING IT BACK TO THE
2 COMMISSIONERS ACKNOWLEDGE FOR DISCUSSION. THIS IS STEP 1. AND
3 STAFF WILL BE COMING BACK WITH ADDITIONAL INFORMATION. SO AT
4 THIS POINT, I'LL ENTERTAIN A MOTION FOR APPROVAL.

5

6 **AMY WORTH:** COMMISSIONER WORTH. MY PLEASURE TO MAKE A MOTION TO
7 APPROVE THIS MOTION

8

9 **KIMBERLY WARD, CLERK:** DUTRA-VERNANCI?

10

11 **CAROL DUTRA-VERNACI:** VERNACI SECOND

12

13 **ALFREDO PEDROZA, CHAIR:** FIRST BY WORTH AND SECOND BY DUTRA-
14 VERNACI ROLL CALL, PLEASE

15

16 **KIMBERLY WARD, CLERK:** PEDROZA

17

18 **ALFREDO PEDROZA, CHAIR:** YES

19

20 **KIMBERLY WARD, CLERK:** DUTRA-VERNACI?

21

22 **CAROL DUTRA-VERNACI:** AYE

23

24 **KIMBERLY WARD, CLERK:** GLOVER, IS ABSENT.

25



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1 **AMY WORTH:** HE'S HERE. I SAW HIM SAY AYE

2

3 **KIMBERLY WARD, CLERK:** THANK YOU

4

5 **SPEAKER:** THANK YOU, AYE

6

7 **KIMBERLY WARD, CLERK:** THANKS. SPERING. IS AN AYE. THANK YOU.

8 WORTH?

9

10 **AMY WORTH:** AYE

11

12 **KIMBERLY WARD, CLERK:** THANK YOU, THE MOTION PASSES

13 UNANIMOUSLY.

14

15 **ALFREDO PEDROZA, CHAIR:** THANK YOU, KIMBERLY. LISA THANK YOU

16 FOR FILLING IN FOR STEPHEN. MOVING ON TO 4A, EXPRESS LANES

17 TOLL PROGRAM PILOT UPDATE. CUSTOMER RESEARCH FEEDBACK PILOT

18 CONCEPT FOR MEANS BASED TOLL DISCOUNT PILOT BAIFA'S 1-880

19 EXPRESS LANES INCLUDING THE RECOMMENDED DISCOUNT AMOUNT. LISA

20 TAKE IT AWAY

21

22 **SPEAKER:** SOUNDS GOOD. CAN I HAVE MY PRESENCE BROUGHT UP,

23 PLEASE? GREAT. I'M SURE IT WILL BE JOINING US IN A MOMENT. IN

24 THE MEANTIME, MY -- THERE WE GO. PERFECT. YEAH, SO GOOD

25 MORNING COMMISSIONERS, I AM PIERCE GOULD, I'M HERE WITH MY



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1 COLLEAGUE, LYSA HALE. IN MARCH OF THIS YEAR, WE ANNOUNCED OUR
2 PLANS FOR CUSTOMER OUTREACH WITH YOU, AND NOW WE'RE BACK TO
3 SHARE WHAT WE LEARNED AND HOW IT SHAPES OUR PLANS FOR A TOLLED
4 DISCOUNT PILOT ON THE 88 EXPRESS LANES. NOW WE HAVE AN IDEA OF
5 HOW THE PILOT WILL WORK, WE PLAN TO TELL THE PUBLIC AT LARGE
6 ABOUT IT AS PART OF OUTREACH FOR THE NEXT ORDINANCE AMENDMENT.
7 NEXT SLIDE, PLEASE. AS A REMINDER, THIS PILOT WOULD MAKE IT
8 MORE AFFORDABLE FOR LOW INCOME DRIVERS TO USE THE 88 EXPRESS
9 LANES. THROUGH THE PILOT WE HOPE TO EXPAND MOBILITY AND ACCESS
10 TO OPPORTUNITY FOR PILOT PARTICIPANTS. WE PLAN TO LEVERAGE
11 CLIPPER STARTS, THE TRANSIT FAIR DISCOUNT PILOT TO DELIVER THE
12 PILOT CLIPPER. WE ENGAGED TWO DIFFERENT STAKEHOLDER ON DESIGN,
13 ADVISORY COUNCIL AND EQUITY ACCESS SUBCOMMITTEE AND ALSO A
14 SEPARATE ADVISORY GROUP OF STAKEHOLDER AGENCIES AND ADVOCACY
15 ORGANIZATIONS. WE'RE ALSO TRYING TO APPLY AN EQUITY LENS TO
16 PILOT DESIGN AND DELIVERY BY LISTENING TO THE CUSTOMERS WE
17 WANT TO SUPPORT. NEXT SLIDE, PLEASE. I MENTIONED THAT WE'LL
18 LEVERAGE CLIPPER START. THIS SLIDE SHOWS HOW. I WANT TO
19 HIGHLIGHT FOR CONSISTENCY AND SIMPLICITY WE'RE PROPOSING THAT
20 THE ELIGIBILITY THRESHOLD BE THE SAME AS FOR CLIPPER START,
21 WHICH IS 200% OR LESS OF THE FEDERAL POVERTY LEVEL. NOW, LISA
22 WILL SHARE WHAT WE LEARNED THROUGH CUSTOMER RESEARCH. NEXT
23 SLIDE, PLEASE.
24



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1 **SPEAKER:** GOOD MORNING, COMMISSIONERS. I'M LYSA HALE OF AGENCY
2 STAFF. SO I'M HAPPY TO BE HERE TO TELL YOU MORE ABOUT THIS. WE
3 HELD A TOTAL OF NINE FOCUS GROUPS VIA ZOOM IN ENGLISH, SPANISH
4 AND CANTONESE. WE HAD A MINIMUM OF 7 PARTICIPANTS AND MAXIMUM
5 OF 10 IN FOCUS GROUPS. WE ALSO HELD A TELEPHONE TOWN HALL
6 MEETING FOR THOSE WHO CAN'T PARTICIPATE IN ZOOM FOCUS GROUPS.
7 AND TODAY I'LL PRESENT THE FINDINGS FROM THE FOCUS GROUPS AND
8 THE TOWN HALL. NEXT SLIDE, PLEASE. SO THIS MAP SHOWS THE
9 DOMINANT LANGUAGES OTHER THAN ENGLISH. SO YOU CAN SEE -- YOU
10 CAN SEE THAT SPANISH AND CHINESE POP OUT IF YOU LOOK AT THE
11 ORANGE AND THE GREEN SHADED AREAS. THE LOW INCOME CENSUS
12 TRACKS ARE SHOWED BY THE DIAGONAL LINES ON THE MAP. WE USE
13 THIS MAP TO INFORM THE LANGUAGES OF OUR FOCUS GROUPS. NEXT
14 SLIDE, PLEASE. SO THIS SLIDE SHOWS YOU HOW WE RECRUITED THE
15 FOCUS GROUPS IN THE ULTIMATE COMPOSITION. ON THE LEFT YOU SEE
16 THE REQUIRED CHARACTERISTICS, PARTICIPANTS REQUIRED TO BE LOW
17 INCOME, PROVIDE THEIR HOUSEHOLD SIZE, AND EITHER LIVE OR WORK
18 IN THE 880 CORRIDOR. WE ALSO SOUGHT TO INCLUDE A RANGE OF
19 OTHER CHARACTERISTICS SUCH AS RACE, GENDER IDENTITY, AND AGE.
20 WE REACHED OUT TO A NUMBER OF COMMUNITY-BASED ORGANIZATIONS TO
21 ENSURE WE HAD REPRESENTATION FROM THESE DIFFERENT GROUPS, SUCH
22 AS THE UNHOUSED, BLACK RESIDENTS, OTHER GROUPS AND SO ON. AT
23 THE BOTTOM, YOU CAN SEE THE RANGE OF PARTICIPANTS. WE HAD HAD
24 A TOTAL OF 79 PARTICIPANTS. THIS TABLE MAY APPEAR SKEWED
25 TOWARDS ASIAN AND LATINX PARTICIPANTS. BUT THAT'S BECAUSE WE



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1 RECRUITED SPECIFICALLY FOR FOCUS GROUPS AND SPANISH AND CANTON
2 EASE IN ADDITION TO ENGLISH SPEAKING FOCUS GROUPED. WE
3 SPECIFICALLY UNDER RECRUITED AFRICAN AMERICAN AND BLACK
4 PARTICIPANTS SO WE PLAN TO DEVELOP ANOTHER FOCUS GROUP FOR
5 THIS AUDIENCE TO HELP INFORM HOW WE SHOULD APPROACH OUTREACH
6 TO PROMOTE THE PILOT. NOTE WE HAD ABOUT TWICE AS MANY WOMEN AS
7 MEN. THE TELEPHONE TOWN HALL HAD A TOTAL OF 344 PARTICIPANTS
8 AT ITS BUSIEST POINT WITH A MAXIMUM OF 75 PARTICIPATING IN
9 ANSWERING POLLING QUESTIONS. NEXT SLIDE.

10

11 **SPEAKER:** BEFORE YOU MOVE ON, CAN YOU EXPLAIN WHY, AGAIN, YOU
12 UNDER RECRUITED IN THE AFRICAN AMERICAN GROUP?

13

14 **SPEAKER:** AS I NOTED, THAT WAS INADVERTENT. WE RECRUITED -- WE
15 HAD TO DO NINE FOCUS GROUPS. AND THREE OF THEM HAD TO BE IN
16 SPANISH, THREE OF THEM HAD TO BE IN CHINESE AND THEN THREE OF
17 THEM HAD TO BE IN ENGLISH. SO WE DID A GENERAL RECRUITMENT OF
18 THE ENGLISH SPEAKING POPULATION. AND AFTER WE WERE DONE, AND
19 WITH FEEDBACK FROM OUR EQUITY AND ACCESS SUBCOMMITTEE, WE
20 AGREED THAT WE DID NOT GET ENOUGH BLACK PARTICIPANTS IN THE
21 ENGLISH SPEAKING FOCUS GROUPS. THAT'S WHY WE'RE GOING TO GO
22 BACK AND SEEK ADDITIONAL INFORMATION. SO IT WASN'T AN
23 INTENTIONAL OMISSION. IT WAS JUST PART OF THE WAY THAT THE
24 RECRUITMENT WENT. AND WE WOULD LIKE TO HAVE MORE PARTICIPATION
25 OF BLACK PARTICIPANTS.



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1

2 **SPEAKER:** THANK YOU.

3

4 **SPEAKER:** OKAY. SO WE ASKED ABOUT SEVERAL DISCREET TOPICS AND
5 THE FIRST WAS EXPRESS LANES. SO PARTICIPANTS EXPRESSED THAT
6 THEY'RE GENERALLY CONFUSED ABOUT THE EXPRESS LANES SUCH AS HOW
7 MUCH THEY COST, WHAT THE CAR POLLING VEHICLE DISCOUNTS ARE AND
8 WHERE TO GO TO LOOK FOR ACCURATE INFORMATION. PARTICIPANTS WHO
9 USE EXPRESS LANES PRIMARILY USE THEM FOR COMMUTING. BUT THOSE
10 WHO DON'T THOUGHT THE LANES WERE UNNECESSARY AND EXPENSIVE.
11 SEVERAL PARTICIPANTS IN ONE OF THE GROUPS INDICATED THEY WOULD
12 BE MORE LIKELY TO USE THE EXPRESS LANES IF THEY GOT A
13 DISCOUNT. TWO PARTICIPANTS INDICATED THEIR LIKELIHOOD TO USE
14 THE EXPRESS LANES WOULD DEPEND ON THE RATE OF THE DISCOUNT.
15 INTERESTINGLY, SEVERAL DID RAISE CONCERNS ABOUT EQUITY WITH
16 REGARD TO EXPRESS LANES IN GENERAL. BUT OF COURSE THIS PILOT
17 PROGRAM WOULD BE ONE WAY TO ADDRESS THE EQUITY ISSUE. NEXT
18 SLIDE, PLEASE. WE ALSO ASKED ABOUT THE DISCOUNT ELIGIBILITY.
19 AS PIERCE MENTIONED BEFORE, THIS PROJECT IS BEING DEVELOPED IN
20 ALIGNMENT WITH THE CLIPPER START PROGRAM. THE EBT SYSTEM IS
21 USED IN CALIFORNIA FOR THE DELIVERY REDEMPTION AND
22 RECONCILIATION OF ISSUED PUBLIC ASSISTANCE BENEFITS, SUCH AS
23 CAL FRESH, AND CAL WORKS AND OTHER FOOD AND BENEFITS. CLIPPER
24 START ACCEPTS EBT CARDS AS THESE PROGRAMS ALL USE THE SAME
25 200% OF THE FEDERAL POVERTY LEVEL CUT OFF. WHEN WE TALK TO



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1 THEM ABOUT DISCOUNT ELIGIBILITY, PARTICIPANTS EXPRESS CONCERN
2 THAT THE ELIGIBLE INCOME BRACKETS ARE BELOW THOSE EARNING
3 MINIMUM WAGE AND THAT THE ELIGIBILITY REQUIREMENTS SHOULD NOT
4 USE THE FEDERAL POVERTY LEVEL BUT CALCULATIONS THAT ARE MORE
5 CONSIDERATE OF THE LOCAL COST AREA OF LEAVING LIKE AREA MEDIAN
6 INCOME, HOUSING PROGRAMS AND FOOD STAMP BENEFIT THRESHOLDS.
7 NEXT SLIDE, PLEASE. WE ALSO ASKED ABOUT SOME OF THE DISCOUNT
8 PROGRAM FEATURES. WHILE SOME SUGGESTED DISCOUNTS RANGING FROM
9 20 TO 40%. MOST SUGGESTED DISCOUNTS RANGING FROM 50% TO 75%.
10 THEY SEEMED TO SETTLE ON 50%, AS THAT WOULD BE THE EASIEST FOR
11 THEM TO CALCULATE. IN THE TELEPHONE TOWN HALL, 70% OF THE 49
12 RESPONDENTS TO THIS QUESTION SAID THAT A 50% DISCOUNT WOULD
13 MAKE THEM LIKELY TO ENROLL IN THE DISCOUNT PROGRAM.
14 PARTICIPANTS SUGGESTED ANNUAL RENEWALS OR BIENNIAL RENEWALS,
15 WITH MOST SUGGESTING ANNUAL. THEY WERE CONCERNED OF MAKING THE
16 PROCESS AS SIMPLE AND EASY AS POSSIBLE. THEY EXPRESSED
17 CONFLICTING OPINIONS ABOUT POTENTIAL LIMITS ON THE NUMBER OF
18 TOLL TAGS ON ONE ACCOUNT THAT COULD BE ELIGIBLE FOR THE
19 DISCOUNT. AND SOME OF THE PARTICIPANTS WOULD LIKE TO SEE THE
20 FULL PRICE OF THE TOLL COMPARED TO THE TOLL THEY ACTUALLY PAID
21 FOR EACH TRIP ON THEIR ACCOUNT STATEMENT. NEXT SLIDE, PLEASE.
22 WE WERE ALSO INTERESTED IN BETTER UNDERSTANDING WHAT MIGHT
23 PREVENT PEOPLE FROM PARTICIPATING IN THIS PROGRAM. AND, AGAIN
24 WE FOUND THAT EVEN WITH THE DISCOUNT, THERE'S THERE WAS
25 CONSENSUS AMONG PARTICIPANTS THAT COST WOULD BE THE PRIMARY



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1 BARRIER, ESPECIALLY IF THE INCOME BRACKETS REMAIN. SOME
2 PARTICIPANTS, PARTICULARLY IN THE IN LANGUAGE GROUPS, QUESTION
3 WHETHER OR NOT THIS PROGRAM WOULD HELP ENOUGH PEOPLE GIVEN THE
4 INCOME ELIGIBILITY THRESHOLDS. SOME PARTICIPANTS EXPRESSED
5 CONCERN AGAIN THAT THE APPLICATION PROCESS AND INCOME
6 VERIFICATION REQUIREMENTS WILL BE CUMBERSOME AND TIME
7 CONSUMING AND OTHER SUGGESTED APPLICATION PROCESS AND
8 INFORMATION MATERIALS FOR THOSE WITHOUT ACCESS TO INTERNET OR
9 TECHNOLOGY. IN OUR TELEPHONE TOWN HALL, SOME SAID THEY HAD
10 CONCERNS ABOUT PROVIDING FINANCIAL INFORMATION. NEXT SLIDE,
11 PLEASE. WE ALSO WANTED TO KNOW WHAT SUGGESTIONS THE
12 PARTICIPANTS HAD WHEN IT CAME TO HOW TO CONDUCT OUTREACH TO
13 PROMOTE THE PROGRAM. AND WE GOT A LOT OF GREAT FEEDBACK ON
14 THIS. ONE OF THE SUGGESTIONS WAS TO LEVERAGE EXISTING CHANNELS
15 OF COMMUNICATIONS, USED BY COMMUNITY LEADERS, COMMUNITY-BASED
16 ORGANIZATIONS AND SO ON. SOME PEOPLE MENTIONED PUTTING UP
17 BILLBOARDS TO PROMOTE THE PROGRAM. SPANISH SPEAKING
18 PARTICIPANTS REQUESTED THE PROGRAM BE ADVERTISED AT PLACES
19 THAT LATINOS FREQUENT LIKE LATIN MARKETS, CLINICS, NONPROFIT
20 ORGANIZATIONS, LIBRARIES AND SCHOOLS. SPANISH SPEAKERS ALSO
21 SUGGESTED PRINTED IN LANGUAGE ADVERTISED BY MAIL, POSTCARDS
22 ADVERTISED BY MAIL, AND ADVERTISING THROUGH LOCAL SPANISH
23 NEWS, WHERE IN THE PROGRAM IS FULLY EXPLAINED IN SPANISH.
24 CHINESE SPEAKING PARTICIPANTS ALSO SUGGESTED PROMOTES THE
25 PROGRAM VIA SENDING IN LANGUAGE LETTERS BY MAIL AND THEY ALSO



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1 SUGGESTED ADVERTISING AND HOW THE CHRONICLE AND CHANNEL 26.
2 LIKewise MEETING WITH A GROUP OF REPRESENTATIVES OF THE
3 AFRICAN AMERICAN AND BLACK COMMUNITY. AND THEY SUGGESTED THAT
4 THERE WERE SPECIFIC TACTICS WE COULD UNDERTAKE TO REACH THIS
5 COMMUNITY. AND WE WILL BE FOLLOWING UP WITH THEM AND OTHERS IN
6 THE COMMUNITY TO GET MORE DIRECTION ON THIS IN ADDITION, WE
7 WILL INCORPORATE THE FEEDBACK THAT WE GET FROM THE ADDITIONAL
8 FOCUS GROUP THAT WE PLAN TO CONDUCT. NOW I WILL TURN IT BACK
9 TO PIERCE. NEXT SLIDE, PLEASE.

10

11 **SPEAKER:** THANKS LISA. SO NOW I'M GOING TO TALK MORE ABOUT HOW
12 THE PILOT WILL WORK IN THE CONTEXT OF THE CUSTOMER FEEDBACK
13 THAT LISA SHARED. WE WANT IT TO BE EASY, OBVIOUSLY, FOR INCOME
14 QUALIFIED CUSTOMERS TO PAY LESS TO USE THE 88 EXPRESS LANES.
15 THERE ARE SOME KEY POINTS TO TELL CUSTOMERS ABOUT HOW THE
16 PROGRAM WORKS. FIRST THEY NEED TO GET APPROVED FOR THE TOLL
17 DISCOUNT PILOT. SECOND THEY NEED TO ACTIVATE THE DISCOUNT IN
18 THEIR FASTRAK ACCOUNT. IT IS IMPORTANT FOR THEM TO KEEP A
19 POSITIVE BALANCE IN THEIR FASTRAK ACCOUNT AT ALL TIMES AND
20 WHEN USING THE 88 EXPRESS LANES THEY SHOULD HAVE THEIR TOLL
21 TAG IN THE CAR AND THE DISCOUNT WILL BE GIVEN AUTOMATICALLY.
22 NEXT SLIDE, PLEASE. THE ENROLLMENT PROCESS WOULD BE SIMPLE AND
23 WE CONFIRMED IN THE FOCUS GROUPS THAT THE POTENTIAL CUSTOMERS
24 UNDERSTAND HOW IT WOULD WORK. AFTER THE CUSTOMER APPLIES, AN
25 ELIGIBILITY VERIFIER WOULD REVIEW THEIR APPLICATION FOR



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1 COMPLETENESS. AND IF THE CUSTOMER HAS AN EXISTING FASTRAK
2 ACCOUNT, THE TOLL DISCOUNT PLAN WOULD BE APPLIED AUTOMATICALLY
3 BY FASTRAK. IF THEY DON'T HAVE A FASTRAK ACCOUNT, THEY WOULD
4 BE APPLIED BY FASTRAK WHEN THEY OPEN THEM. NEXT SLIDE, PLEASE.
5 THE APPLICATION PROCESS ITSELF WOULD BE THE SAME AS FOR
6 CLIPPER START. ELIGIBLE CUSTOMERS COULD APPLY BY COMPUTER,
7 MOBILE PHONE OR ON PAPER AND WOULD NEED TO HAVE PROOF OF
8 IDENTITY AND PROOF OF HOUSEHOLD INCOME, PLUS A BAY AREA
9 MAILING ADDRESS AND ANSWER A FEW QUESTIONS ON DEMOGRAPHICS AND
10 DRIVING HABITS. NEXT SLIDE, PLEASE. AS SHOWN HERE, THERE WOULD
11 BE A VARIETY OF ACCEPTABLE DOCUMENTATION TO PROVE IDENTITY AND
12 INCOME. THEY'RE THE SAME AS FOR CLIPPER START. FOR COMPUTER
13 AND MOBILE PHONE BASED APPLICATIONS, CUSTOMERS NEED TO SCAN OR
14 SUBMIT A PHOTO OF THEIR DOCUMENTATION FOR PAPER BASED
15 APPLICATIONS, CUSTOMERS WOULD NEED TO SEND PHOTOCOPIES. THE
16 EQUITY AND ACCESS SUBPOENA COMMITTEE SUGGESTED IF SOMEONE IS
17 ALREADY QUALIFIED FOR CLIPPER START, AND WANTS TO ENROLL IN
18 THE TOLL DISCOUNT PILOT THEY SHOULD NOT HAVE TO RESUBMIT
19 DOCUMENTATION FOR PROOF OF INCOME WE PLAN OUR DESIGN TO
20 SUPPORT THIS REQUEST. NEXT SLIDE, PLEASE. SINCE WE BEGAN
21 TALKING ABOUT THIS PILOT, EVERYBODY ALWAYS ASKS, WHAT IS THE
22 DISCOUNT GOING TO BE? SO WE'RE HAPPY TO BE ABLE TO SHARE A
23 RECOMMENDATION THAT IS BASED ON THE -- YOU KNOW, WHAT WE HEARD
24 IN THE FOCUS GROUPS. 24 -- THIS TABLE SHOWS THE STANDARD TOLL
25 RATES IN THE 88 EXPRESS LANES ON THE TOP ROW THERE AND THE



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1 PROPOSED INCOME QUALIFIED TOLL RATES FOR THE PILOT. WE ARE
2 PROPOSING A 50% DISCOUNT ON ALL TOLLED GROUPS IN THE 88
3 EXPRESS LANES BECAUSE IT HAD THE MOST SUPPORT AMONG
4 PARTICIPANTS AND ENSURED ENROLLMENT IN THE PILOT. THE AMOUNT
5 WAS SEEN EASY TO CALCULATE ALLOWING DRIVERS TO FOCUS ON THE
6 ROAD. A 50% DISCOUNT ON ALL TOLLED TRIPS, EXCUSE ME, WOULD
7 RESULT IN THE FOLLOWING TOLL STRUCTURE FOR INCOME QUALIFIED
8 DRIVERS. YOU KNOW, 50% OFF FOR ONE PERSON TRIPS. AND 75% FOR
9 TWO PERSON OR CLEAN AIR VEHICLE TRIPS. AND OF COURSE THREE OR
10 MORE PERSON TRIPS IN 88 EXPRESS LANES ARE ALWAYS TOLL FREE AS
11 LONG AS PROPERLY SET FASTRAK THAT IS CELL TAGGED. NEXT SLIDE,
12 PLEASE. SO THIS SLIDE LAYS OUT KEY PILOT FEATURES AND THEIR
13 RATIONAL, WHICH IS EITHER FOR CONSISTENCY HOW FASTRAK WORKS
14 TODAY OR BECAUSE THE FEATURE WAS CONFIRMED BY FOCUS GROUP
15 FEEDBACK. AS WE ALREADY INDICATED WE'RE PREPARING THE DISCOUNT
16 BE 50% OFF FOR ALL TOLLED TRIPS IN THE 88 EXPRESS LANES FOR
17 BAY AREA RESIDENTS WHO EARN LESS THAN 2% OF THE FEDERAL
18 POVERTY THRESHOLD. THE TOLL DISCOUNT WOULD BE ACCOUNT BASED,
19 WHICH MEANS IT WOULD APPLY TO ALL TOLL TAGS AND LICENSE PLATES
20 LINKED TO A FASTRAK ACCOUNT WITH THE DISCOUNT PLAN ATTACHED TO
21 IT. THIS MEANS THAT THE DISCOUNT WOULD BE GIVEN EVEN IF
22 THERE'S NO TOLL TAG READ IN THE EXPRESS LANES, ONLY A LICENSE
23 PLATE IMAGE CAPTURE. THERE WOULD BE NO LIMITS ON THE NUMBER OF
24 TOLL TAGS AND LICENSE PLATES REGISTERED TO A FASTRAK ACCOUNT
25 WITH THE DISCOUNT PLAN. WE DID RECEIVE MIXED FEEDBACK AS LISA



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1 POINTED OUT IN THE FOCUS GROUPS AS TO WHETHER THERE SHOULD BE
2 LIMITS. FOR THE PILOT WE'RE PROPOSING TO ERR ON THE SIDE OF
3 MORE GENEROUS APPROACH THAT IS CONSISTENT WITH HOW FASTRAK
4 WORKS TODAY. THE MONTHLY FASTRAK STATEMENT WOULD SHOW THE
5 STANDARD TOLL AND THE CREDIT FOR THE DISCOUNT FOR EACH TOLL
6 TRIP MADE IN 88 EXPRESS LANES WHICH HAD STRONG SUPPORT IN THE
7 FOCUS GROUPS. OTHER FASTRAK POLICIES LIKE TAG DEPOSIT AMOUNTS,
8 MINIMUM ACCOUNT BALANCES, VIOLATION PROCESSES AND CASH PAYMENT
9 OPTIONS WOULD BE THE SAME FOR ALL FASTRAK CUSTOMERS TO KEEP
10 THINGS SIMPLE AND COST EFFECTIVE AT THE FASTRAK CSC. AT THIS
11 POINT, CONTINUES TO CONSIDER A SERIES OF RECOMMENDATIONS AS
12 PART OF THE EQUITY ACTION PLAN WORK THAT WAS DISCUSSED
13 EARLIER. AND THOSE CHANGES ARE GOING TO COMPLIMENTS THIS
14 PILOT. WE ANTICIPATE THAT BAIFA WILL WANT TO FOLLOW THAT, IN
15 ANTICIPATION OF -- AND WE'LL DISCUSS THIS MORE ON THE AGENDA
16 ITEM. LASTLY, PROGRAM STAFF WILL MONITOR UNUSUAL ACCOUNT AND
17 TRIP ACTIVITY THROUGH REPORTS AND DATA BASED QUERIES, AS A WAY
18 TO EVALUATE POTENTIAL PROGRAM ABUSE. WE WANT A POLICY HOW TO
19 HANDLE ABUSE IN CASE IT IS NEEDED. WE PLAN, TO EXPRESS LANE
20 PERFORMANCE AND ADMINISTRATIVE AND FINANCIAL LIABILITY OF THIS
21 PILOT. NEXT SLIDE, PLEASE. SO I'M GOING TO CLOSE WITH A SHORT
22 SCHEDULE UPDATE. AS WE WILL DISCUSS THE NEXT AGENDA, WE'RE
23 GOING TO AMEND BAIFA'S TOLL ORDINANCE, WHICH WILL INVOLVE
24 OUTREACH TO THE PUBLIC AT LARGE ABOUT THE PILOT AND CULMINATE
25 IN A PUBLIC HEARING AND ADOPTION VOTE. IF APPROVED BY BAIFA,



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1 WE HAVE THE ABILITY TO PILOT THE TOLLED DISCOUNT ON THE 88
2 EXPRESS LANES. WE MAY BE ABLE TO LAUNCH THE PILOT AS EARLY AS
3 MAY 2022. BUT THERE ARE RISKS TO THE SCHEDULE SUCH AS
4 COORDINATING WORK BETWEEN CONTRACTORS. ASIDE FROM THE TOLL
5 ARGUMENT AMENDMENT PROCESS, WE WILL RETURN TO BAIFA TO SHARE
6 OUR DRAFT EVALUATION PLAN. AND ALSO OUR DRAFT OUTREACH PLAN
7 FOR THE PILOT TO GET YOUR FEEDBACK. AND WE'LL DO THAT SOMETIME
8 IN EARLY 2022. SO THIS IS THE END OF OUR PRESENTATION. AND
9 WE'RE HAPPY TO ANSWER QUESTIONS THAT YOU MIGHT HAVE ON THE
10 PILOT.

11

12 **ALFREDO PEDROZA, CHAIR:** PIERCE AND LISA, THANK YOU VERY MUCH
13 FOR YOUR PRESENTATION. I THINK YOU HAVE ALREADY PROVOKED SOME
14 QUESTIONS FROM COMMISSIONERS. COMMISSIONER DUTRA-VERNACI?

15

16 **CAROL DUTRA-VERNACI:** YES, THANK YOU CHAIR PEDROZA. SO MY
17 QUESTION IS, IN TERMS OF THE RECOMMENDATIONS THAT WERE MADE,
18 THE ONE THAT IS -- I THOUGHT THEY WERE ALL GREAT
19 RECOMMENDATIONS AND I'M SO HAPPY THAT WE GOT THE PARTICIPATION
20 THAT WE DID AND LOOK FORWARD TO THE ADDITIONAL OUTREACH. BUT
21 THAT BEING SAID, THE RECOMMENDATION IN TERMS OF THE THRESHOLD
22 FOR WHAT IS CONSIDERED LOW INCOME, WHAT AUTHORITY, IF ANY, DO
23 WE HAVE, TO CHANGE THAT NUMBER? I DON'T KNOW. SO THE FIRST
24 QUESTION, I KNOW WE'LL USE 200% OF WHATEVER THE NUMBER IS. SO
25 THE QUESTION IS, DO WE HAVE AUTHORITY TO CHANGE THE NUMBER?



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1 AND IS STAFF LOOKING INTO WHAT THAT NUMBER MIGHT BE SO WE CAN
2 GET MORE PARTICIPANTS IN THE PROGRAM?

3

4 **SPEAKER:** SO I WILL INVITE LISA TO STEP IN AFTER MY INITIAL
5 RESPONSE. MY RESPONSE IS YES, WE HAVE AUTHORITY TO HAVE
6 DIFFERENT THRESHOLD IF WE WANT. YOU KNOW, AS A PILOT, ONE OF
7 OUR GOALS HAS BEEN TO TRY TO KEEP THINGS SIMPLE SO THAT WE CAN
8 PROCEED QUICKLY AND EFFICIENTLY FROM THE PILOT AND START
9 LEARNING FROM THIS EXPERIENCE. THAT IS ONE OF THE REASONS THAT
10 WE'RE ADVOCATING FOR STICKING WITH THE 200% THRESHOLD AT THIS
11 POINT. BECAUSE IT IS WHAT CLIPPER START IS USING TODAY. AND
12 OUR SYSTEMS ARE ALREADY GEARED TOWARDS DOING THAT. IF WE
13 CHANGE THINGS, THAT WILL REQUIRE TIME ON OUR PART TO FIGURE
14 OUT HOW TO DO THAT, POTENTIALLY CHANGES TO CONTRACTS,
15 ADDITIONAL COSTS, ET CETERA. AND SO THAT'S WHY WE'RE TRYING TO
16 STICK TO A 200% IDEA. NOT TO MENTION, THERE STILL IS -- I
17 THINK GOOD THIS DOES LINE UP WITH OTHER PROGRAMS AT THE STATE
18 LEVEL. IT MAKES QUALIFYING EASIER FOR CERTAIN RESIDENTS AS
19 WELL. IF WE WERE TO GO HIGHER, THERE ARE CHALLENGES THAT BAIFA
20 WILL NEED TO CONSIDER. THEY HAVE TO DO WITH POTENTIALLY
21 GETTING MORE PERSONALLY IDENTIFIABLE INFORMATION FROM PEOPLE.
22 IN PARTICULAR TAX KINDS OF FORMS BECAUSE WE WON'T BE ABLE TO
23 RELY ON EXISTING DOCUMENTATION FROM OTHERS -- AN INDIVIDUAL
24 MEETS THAT 200% THRESHOLD, WE'LL BE ABLE TO SEEK OUT TAX
25 DOCUMENTS, FRANKLY TO BE ASSESSING SOMEBODY'S ELIGIBILITY. AND



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1 SO THINGS LIKE THAT, THAT WE WOULD NEED TO CONSIDER IF WE
2 WANTED TO GO THAT WAY. SO AS A PILOT WE'RE HOPING TO LEARN AND
3 THEN MAYBE SORT OF EXPLORE WHAT KIND OF PARTICIPATION DO WE
4 GET, WHAT IS THE FEEDBACK WE GET DURING THE PILOT AND THEN GO
5 FROM THERE INTO SOMETHING THAT MIGHT LOOK DIFFERENT.

6

7 **CAROL DUTRA-VERNACI:** THANK YOU, THAT'S AN EXCELLENT
8 EXPLANATION AND THINGS THAT I QUITE FRANKLY HADN'T THOUGHT
9 ABOUT OR JUST FORGOT THE IDEA THAT THIS IS A PILOT AND WE'RE
10 GOING TO LEARN FROM IT. SO IT MAKES PERFECT SENSE. SO THANK
11 YOU FOR THAT EXPLANATION

12

13 **SPEAKER:** YOU'RE WELCOME

14

15 **ALFREDO PEDROZA, CHAIR:** VICE CHAIR JOSEFOWITZ?

16

17 **NICK JOSEFOWITZ, VICE CHAIR:** THIS IS REALLY EXCITING. IT IS
18 REALLY EXCITING. AND I THINK IT IS TERRIFIC HOW YOU ARE LINING
19 THIS UP WITH THE KIND OF CLIPPER PROGRAMS. AND, YOU KNOW, I
20 REALLY HOPE THAT AT SOME POINT, WE CAN JUST HAVE, YOU KNOW,
21 ONE PLACE THAT PEOPLE CAN GO TO APPLY, LOW INCOME PEOPLE CAN
22 GO TO APPLY FOR ALL OF THEIR TRANSPORTATION DISCOUNTS. I MEAN,
23 EVEN BETTER IF WE CAN JUST HAVE ONE PLACE THAT LOW INCOME
24 PEOPLE CAN GO TO GET ALL OF THEIR PUBLIC BENEFITS. BUT IF WE
25 CAN HAVE ONE PLACE THAT PEOPLE GO AND IT IS THE SAME



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1 ELIGIBILITY, AND OH, YOU GET DISCOUNTED CLIPPER AND YOU GET
2 DISCOUNTED FASTRAK AND YOU GET DISCOUNTED PARKING IN PARKING
3 LOTS. THAT'S THE TYPE OF EXPERIENCE WE WANT TO PROVIDE PEOPLE.
4 I'M JUST SO THRILLED AND I CAN'T WAIT TO SEE THE RESULTS OF
5 THE PILOT. AND I THINK IT IS GREAT THAT WE'RE ALSO COMMITTING
6 TO THAT TYPE OF VALUATION. BECAUSE I THINK IT IS GOING TO
7 WORK. BUT MAYBE IT WON'T. AND THEN WE'LL HAVE TO COME BACK AND
8 SEE HOW WE CAN DO IT BETTER. SO CONGRATULATIONS TO EVERYBODY.

9

10 **ALFREDO PEDROZA, CHAIR:** THANK YOU NICK. COMMISSIONER WORTH.

11

12 **AMY WORTH:** WELL, I COULDN'T HAVE SAID IT AS WELL COMMISSIONER
13 JOSEFOWITZ. I COMPLETELY AGREE. YOU KNOW, SINCE THE VERY DAY
14 WE OPENED OUR MTC EXPRESS LANES, YOU KNOW WE'VE BEEN TALKING
15 ABOUT THE ISSUES AROUND, YOU KNOW, EQUITY AND LOWER INCOME
16 RIDERS NEEDING THESE. AND YOU KNOW, WHEN YOU LOOK AT LAND USE
17 HOUSING JOBS, BALANCE AND IMBALANCE AROUND THE REGION, SO MANY
18 OF OUR WORKERS AND COMMUTERS HAVE THE ONLY OPTION THEY HAVE IS
19 TO TAKE A CAR. THERE IS NO TRANSIT TO GET FROM, YOU KNOW,
20 ANTIOCH DOWN TO SANTA CLARA IN A REASONABLE AMOUNT OF TIME. I
21 GUESS IF YOU HAD A WEEKEND YOU COULD DO IT. SO IT IS REALLY
22 IMPORTANT THAT WE OFFER ACCESS TO THE EXPRESS LANES TO, YOU
23 KNOW, THE RIDERS THAT HAVE BEEN IDENTIFIED IN THIS PROGRAM.
24 AND I THINK THAT THE -- YOU KNOW, THE FLEXIBILITY OFFERED BY
25 THE EXPRESS LANES, YOU KNOW THE STUDIES HAVE SHOWN THAT THE



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1 MORE ABLE WORKERS -- WORKERS ARE ABLE TO COMMUTE, YOU KNOW, IN
2 GREATER -- HAVE A GREATER ACCESS TO JOBS IS, YOU KNOW, REALLY
3 AN ECONOMIC BENEFIT. AND I THINK THAT WAS ONE OF THE GOALS OF
4 EXPRESS LANES NOT ONLY FOR INDIVIDUAL RIDERS BUT FOR EXPRESS
5 BUSES. SO I JUST THINK THIS IS TERRIFIC. AND THE APPROACH OF A
6 PILOT PROGRAM THAT IS CONSISTENT THAT BUILDS ON THE CLIPPERS
7 START STRUCTURE, I THINK IS REALLY GREAT. AND THERE WILL BE
8 CONSISTENCY. AND MY SENSE IS THAT FAMILIES WHO USE THE EXPRESS
9 LANES WILL PROBABLY ALSO BE LOOKING AT THE CLIPPER START
10 OPTION. SO THERE'S A LOT OF CONSISTENCY THERE AND I THINK
11 STAFF HAS IDENTIFIED QUESTIONS THAT WE NEED TO, YOU KNOW,
12 REALLY UNDERSTAND THROUGH THIS PILOT PROGRAM AND THE
13 OPPORTUNITIES. AND AS THE STAFF SAID, THIS IS ONE OF THE
14 FIRST -- THIS IS, I THINK, THE FIRST PROGRAM IN THE COUNTRY.
15 AND IT IS A SIGNIFICANT STEP IN TERMS OF PROVIDING ACCESS FOR
16 ALL OF OUR WORKERS THAT NEED TO GET FROM HOMES TO JOBS. SO,
17 AGAIN, I REALLY WANT TO THANK STAFF FOR ALL OF YOUR INCREDIBLE
18 WORK TO BRING THIS TOWARD TO US. AND I KNOW IT IS VERY
19 COMPLICATED. IT IS NOT A SIMPLE THING. THERE ARE A LOT OF
20 ISSUES THAT STAFF HAS HAD TO GRAPPLE WITH AND DISCUSS. CLEARLY
21 THE PRESENTATION THAT YOU PRESENTED TODAY SHOWS THE COMPLEXITY
22 OF DOING THIS. SO I JUST REALLY WANT TO SAY THANK YOU AND I'M
23 VERY EXCITED ABOUT THIS PILOT. AND LOOKING FORWARD TO GETTING
24 THE FEEDBACK FROM THE FOLKS THAT ARE USING IT. AND TO FIGURE
25 OUT, YOU KNOW, NEXT STEPS. WHAT ARE THE THINGS THAT WE CAN DO.



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1 AND I THINK THE OTHER THING THAT IS REALLY IMPORTANT IS
2 OVERLAYING THIS PILOT PROGRAM WITH THE DECISION -- YOU KNOW,
3 WITH THE -- WITH THE CHANGES THAT WE'RE MAKING IN TERMS OF THE
4 WHOLE FEE FINE BILLING STRUCTURE. SO IT IS GREAT TO SEE ALL OF
5 THIS TOGETHER. SO THANK YOU, THANK YOU AGAIN.

6

7 **ALFREDO PEDROZA, CHAIR:** THANK YOU, COMMISSIONER WORTH. AND
8 PIERCE, AND LISA THIS WAS AN INFORMATIONAL ITEM. JUST ONE LAST
9 QUESTION. THE REASON I LIKE PILOTS IS WE NEED TO LEARN FROM
10 THEM BEFORE COMMITTING LONG TERM. TELL ME MORE. HOW ARE YOU
11 GOING TO MEASURE THE PERFORMANCE OF THIS PILOT? WHAT ARE WE
12 GOING TO SEE AS COMMISSIONERS AT THE END OF THIS?

13

14 **SPEAKER:** SO WE HAVE A PLAN THAT WILL BE COMING BACK TO YOU
15 PROBABLY AROUND JANUARY OR FEBRUARY TIMELINE. THERE ARE SEVEN
16 DIFFERENT MEASURES THAT WE'LL BE LOOKING AT. THEY, YOU KNOW,
17 SPAN THE ADMINISTRATIVE FEASIBILITY, THE FINANCIAL VIABILITY,
18 HOW THIS WORKS FOR THE CUSTOMER OBVIOUSLY. YOU KNOW, DOES IT
19 MAKE THEIR LIVES BETTER? BUT IT ALSO INCLUDES THINGS LIKE THE
20 EXPRESS LANE AND DOES IT AFFECT THE EXPRESS LANE PERFORMANCE.
21 SO YOU'LL GET A FULL DEBRIEF ON WHAT WE'RE PLANNING IN THE
22 FUTURE. WE HAVE A GOOD DRAFT RIGHT NOW. BUT I'M SURE YOU'LL BE
23 ABLE TO HELP US MAKE THAT BETTER.

24



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1 **ALFREDO PEDROZA, CHAIR:** I APPRECIATE THAT, PIERCE. I'M
2 INTERESTED IN THE PERFORMANCE OF THE EXPRESS LANES, MAKING
3 SURE WE SEE THE VALUE. ONE OF THE FEEDBACKS FROM THE FOCUS
4 GROUPS SAID THEY'RE UNNECESSARY. WELL, I THINK THEY ARE
5 COMPLETELY NECESSARY. BUT WE NEED TO MAKE SURE THAT WE CAN
6 JUSTIFY THAT. AND WE NEED SOME TYPE OF MEASUREMENT THAT LOOKS
7 AT THAT. I'LL BE INTERESTED WHEN YOU COME BACK LOOKING AT THAT
8 PERFORMANCE KIND OF ELEMENT OF IT. SO AT THIS POINT I'M GOING
9 TO SEE IF THERE ARE ANY OTHER COMMISSIONERS WITH ANY COMMENTS,
10 QUESTIONS. I DON'T SEE ANY. KIMBERLY, DO WE HAVE ANY THAT
11 CHOOSE TO MAKE PUBLIC COMMENT ON THIS ITEM?

12

13 **KIMBERLY WARD, CLERK:** YES, WE DO. NOTHING IN WRITING. RICHARD
14 HEDGES, PLEASE UNMUTE YOURSELF, YOU'LL HAVE TWO MINUTES.

15

16 **SPEAKER:** THANK YOU. I'M VERY EXCITED ABOUT THIS PROGRAM. I'VE
17 BEEN ADDING COMMENT. BUT I WANT TO TELL YOU ABOUT SOMETHING
18 THAT HAPPENED RECENTLY. I'LL BE HAPPY TO HELP YOU GET THE WORD
19 OUT FOR THE DISCOUNTS ON THE FASTRAK. BUT I'VE BEEN SAYING FOR
20 PROBABLY A YEAR TO CONTACT ME ON THE CLIPPER START. I CAN HELP
21 YOU GET THE MESSAGE OUT. SO DIANA SANDERS WHO IS WORKING ON
22 THIS, CONTACTED ME LAST WEEK. AND THROUGH THE LABOR COUNCIL'S
23 AND MY UNION ALONE, WITH MY UNION AND HERE, ABOUT 50,000
24 MEMBERS WILL BE GETTING THIS INFORMATION. OUR NEWSLETTER
25 ALREADY WENT OUT THIS WEEK WITH AN ARTICLE ABOUT CLIPPER



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1 START. AND WE'RE ALSO DOING A BULK E-MAIL ON IT. I'VE ALSO PUT
2 DIANE IN TOUCH WITH ALL OF THE LABOR COUNCILS. SO WE WILL GET
3 THIS INFORMATION OUT TO PROBABLY SOMEWHERE IN THE NEIGHBORHOOD
4 OF 200,000 SOULS WHO HAVE FAMILY MEMBERS AND FRIENDS WHO
5 THEY'LL PROBABLY DISCUSS THIS WITH. SO I'LL BE HAPPY TO WORK
6 WITH YOU ON GETTING INFORMATION OUT ON THIS -- THESE
7 DISCOUNTS, BECAUSE I THINK THEY'RE SO IMPORTANT, JUST TO GIVE
8 YOU AN EXAMPLE, EVEN THOUGH OUR MEMBERS HAVE WONDERFUL HEALTH
9 AND WELFARE AND PENSIONS, ABOUT 90% OF THEM WILL QUALIFY FOR
10 THE UNDER 52,000 A YEAR FOR THE I AM WHICH ER START -- CLIPPER
11 START PROGRAM. AND HRE, THE HOTEL RESTAURANT EMPLOYEES,
12 PROBABLY 90% OF THEIR MEMBERS WILL QUALIFY. THIS WILL BE A
13 VERY IMPORTANT SAVINGS FOR THEM. THANK YOU VERY MUCH FOR
14 LETTING ME GET INVOLVED IN THIS. AND I'LL BE WILLING TO HELP
15 ANY TIME IN THE FUTURE. THANK YOU.

16

17 **KIMBERLY WARD, CLERK:** THERE ARE NO ADDITIONAL HANDS RAISED,
18 MR. CHAIR

19

20 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. THANK YOU, KIMBERLY. AND
21 THANK YOU RICHARD FOR YOUR PUBLIC COMMENT. THIS IS AN
22 INFORMATIONAL ITEM. THANK YOU COMMISSIONERS FOR YOUR
23 THOUGHTFUL COMMENTS ON THIS. WE'RE GOING TO MOVE ON TO ITEM
24 4B, THIS IS PROPOSED TOLL FACILITY ORDINANCE AMENDMENT. STAFF
25 WILL PRESENT THE PROPOSED CHANGES TO THE EXISTING TOLL



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1 FACILITY ORDINANCE ENABLING TOLL PILOTS TO REDUCE VIOLATION
2 PENALTIES AND CREATE EMERGENCY POWERS AS WELL AS THE PUBLIC
3 HEARING AND OUTREACH PROCESS STAFF WILL FOLLOW PRIOR TO
4 CONSIDERING FOR ADOPTION. PIERCE THIS IS YOUR ITEM. SO TAKE IT
5 WAY

6

7 **SPEAKER:** THAT'S RIGHT. I GET TWO ITEMS TODAY. MY DOORBELL JUST
8 RANG. HOPEFULLY NOBODY IS STEALING THE PACKAGE OFF THE FRONT
9 DOOR WHILE I'M TALKING ABOUT YOU. THIS IS AN INFORMATION ITEM
10 TO AMEND THE ORDINANCE AND OUTREACH SCHEDULED WITH YOU. YOU
11 SEE THE PROPOSED CHANGES ARE THE RESULT OF CONTINUED
12 LEADERSHIP ON EQUITY AND EXPRESS LANES AND TOLLING MORE
13 GENERALLY. OH, WAIT CAN I HAVE MY PRESENTATION BROUGHT UP,
14 FIRST. THANK YOU. I ALMOST MOVED ON. THANK YOU TO THE NEXT
15 SLIDE. BAIFA REQUIRED BY STATUTE TO ENFORCE TOLL VIOLATIONS ON
16 THE EXPRESS LANES, WHICH SHOWN ON THE MAP HERE IN GREEN.
17 BAIFA'S TOLL ORDINANCE LAYS OUT THE TOLL POLICIES IN CONTEXT
18 OF CAL TRANS HOV POLICIES. BAIFA FIRST ADOPTED THE ORDINANCE
19 IN JULY OF 2016 BEFORE OPENING WITH I680 EXPRESS LANES, AND
20 AMENDED IT TWICE ON EXPAND TOLLING ON I-880 AND 680 EXPRESS
21 LANES. I'M HERE TO SHOW ANOTHER AMENDMENT IN FEBRUARY. NEXT
22 SLIDE, PLEASE. STAFF IS PROPOSING THREE MAIN CHANGES TO
23 BAIFA'S TOLLING. FIRST ENABLE TOLLING POLICIES OR TECHNOLOGIES
24 ON THE LIMITED SCALE PRIOR TO FULL SCALE IMPLEMENTATION. THIS
25 CHANGE WOULD ALLOW BAIFA TO IMPROVE VIABILITY AND EXPRESS



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1 LANES BY TOLL DISCOUNT ON THE I880 EXPRESS LANES. OTHER PILOTS
2 SHOULD BE CONSIDERED IN THE FUTURE SUCH AS PILOTING
3 SMARTPHONES OR ROADSIDE TECHNOLOGY TO VERIFY OCCUPANCY AND
4 RECEIVE A CAR POOL DISCOUNT IN THE EXPRESS LANES. SECOND STAFF
5 PROPOSES TO REDUCE VIOLATION PENALTIES TO \$5 FOR THE FIRST
6 NOTICE SENT TO A DRIVER WHO DOES NOT PAY THE TOLL AND \$10 FOR
7 THE SECOND NOTICE WITH A MAXIMUM TOLL PENALTY OF \$15 PER
8 VIOLATION. REDUCING PENALTIES FURTHER BAIFA'S INTEREST IN
9 SUPPORTING TOLL EQUITY WHILE POTENTIALLY INCREASING TOLLS
10 COLLECTED FROM VIOLATORS WHICH ARE BOTH GOOD OUTCOMES, ALIGN
11 WITH REDUCTION BRIDGED IN OCTOBER. OTHER EXPRESS LANES
12 OPERATORS SUPPORT THESE LOWER PENALTIES. AND WE'RE EXPLORING
13 TO WHAT EXTENT WE CAN AGREE ON AN EFFECTIVE DATE FOR LOWER
14 PENALTIES ON ALL EXPRESS LANES. WE PLAN TO RETURN TO BAIFA IN
15 JANUARY ON THIS ISSUE. THIRD, STAFF PROPOSES TO CLARIFY THE
16 MTC DIRECTOR'S ABILITY TO SUSPEND OR MODIFY TOLLS. PENALTIES,
17 HOURS OF OPERATION, HOV REQUIREMENTS OR OTHER TOLLING RELATED
18 RULES DURING EMERGENCIES SUCH AS AN EARTHQUAKE OR THE COVID-19
19 PANDEMIC. OUR EXPERIENCE WITH COVID-19 SHOWS THAT IT WOULD BE
20 HELPFUL TO HAVE MORE EXPLICIT LANGUAGE TO ENABLE QUICK ACTION.
21 NEXT SLIDE, PLEASE. SO IN 2020, WHEN BAIFA AMENDED THE TOLL
22 ORDINANCE TO EXPAND TOLLING ON 880 AND 680, WE RECEIVED A LOT
23 OF PUBLIC COMMENT ABOUT AFFORDABILITY AND EQUITABILITY OF
24 EXPRESS LANES AND IN RESPONSE WE DEVELOPED A CONCEPT OF A
25 PILOT AND TOLL DISCOUNT FOR DRIVERS IN THE 880 EXPRESS LANES.



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1 AS WE SHARED IN THE PREVIOUS AGENDA ITEM, WE GOT FEEDBACK FROM
2 POTENTIAL PILOT CUSTOMERS AND OTHER STAKEHOLDERS TO SHAPE HOW
3 THE PILOT WOULD WORK. BUT WE'VE NOT HEARD FROM THE PUBLIC AT
4 LARGE YET. SO AS PART OF PUBLIC OUTREACH ON THE PROPOSED TOLL
5 ORDINANCE CHANGE WE WILL ASK THE PUBLIC HOW THEY FEEL ABOUT
6 TOLLING ON THE 880 EXPRESS LANES. AND WE'LL REPORT BACK TO YOU
7 WHAT WE LEARNED FOR DECISIONS HOW TO PROCEED WITH THE PILOT
8 DOWN THE ROAD. NEXT SLIDE, PLEASE. FOR PUBLIC OUTREACH, WE
9 DEVELOPED A PLAN WITH LPA STAFF TO TELL THE PUBLIC OF PROPOSED
10 CHANGES AND HOW TO WEIGH IN, INCLUDING IN MULTIPLE LANGUAGES.
11 IT STARTS OR WILL START WHEN WE PUBLISH NOTICES OF OUR INTENT,
12 TO AMEND THE NOTICE IN NEWSPAPERS IN FIVE COUNTIES PLUS
13 SPANISH AND CHINESE NEWSPAPERS. WE'RE ALSO GOING TO BE
14 PUBLISHING IT IN THE OAKLAND POST, WHICH MY UNDERSTANDING IS
15 THAT THAT WILL SORT OF EXPAND OUR AUDIENCE INTO THE BLACK
16 COMMUNITY MORE THAT ARE -- THE NEWSPAPERS THAT WE'RE PLANNING
17 ON POSTING IN. AND THEN WE'LL ISSUE A PRESS RELEASE AT THE
18 START OF THE WRITTEN PUBLIC COMMENT PERIOD. WE'LL HAVE FACT
19 SHEETS AND OTHER INFORMATION ON MTC'S WEBSITE AND LEVERAGE 501
20 AND FASTRAK TO DIRECT PEOPLE TO IT. WE CREATED A SURVEY TOOL
21 TO COLLECT PUBLIC COMMENTS. AND THIS WILL BE THE PRIMARY CALL
22 TO ACTION FOR OUR PAID SOCIAL MEDIA CAMPAIGNS, WHICH WILL RUN
23 ON FACEBOOK AND INSTAGRAM. WE ALSO PLAN TO SEND THE PRESS
24 RELEASE AND A TAILORED E-MAIL TO LOCAL AGENCIES, CITIES AND
25 COMMUNITY-BASED ORGANIZATIONS TO AMPLIFY PHI OUR MESSAGE,



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1 ENCOURAGING THE PUBLIC TO SHARE THEIR IDEAS. FOR PEOPLE THAT
2 MISSED THE WRITTEN COMMENT PERIOD OR WANT TO COMMENT IN PERSON
3 THEY CAN ALWAYS ATTEND THE PUBLIC HEARING. NEXT SLIDE, PLEASE.
4 IN TERMS OF OUR SCHEDULE, PUBLIC NOTICES WILL APPEAR IN
5 NEWSPAPERS AS EARLY AS DECEMBER 6TH. OUR 34 DAY WRITTEN
6 COMMENT PERIOD RUNNING FROM DECEMBER 15TH, WHICH IS ACTUALLY
7 ONE DAY LATER THAN WHAT IS SHOWN IN YOUR PACKET, THROUGH
8 JANUARY 17TH. AND YOU KNOW, WE DECIDED TO EXTEND WRITTEN
9 PUBLIC COMMENT PERIOD BEYOND OUR STANDARD 30 DAY WINDOW, GIVEN
10 THE HOLIDAYS. WE PLAN FOR A BAIFA TO HOST A PUBLIC HEARING ON
11 JANUARY 26TH. AFTER THAT, STAFF WILL SUMMARIZE WHAT WE LEARNED
12 FROM THE PUBLIC AND PRESENT IT TO YOU ON FEBRUARY 23RD, BEFORE
13 YOU CONSIDER WHETHER TO ADOPT THE CHANGES. IF APPROVED, THE
14 CHANGES WOULD TAKE AFFECT 30 DAYS LATER. IF BAIFA ADOPTS THE
15 GENERIC ABILITY TO DO TOTALLY RELATED PILOTS IN THE ORDINANCE,
16 YOU WOULD STILL NEED TO MAKE A SEPARATE DECISION ABOUT WHETHER
17 TO PROCEED WITH THE EXPRESS LANES, AND STAFF THINKS THE PILOT
18 IS READY TO LAUNCH IN MID 2022, AS WE MENTIONED EARLIER. AT
19 THIS POINT, I'LL WRAP UP MY PRESENTATION AND I'M HAPPY TO
20 ANSWER QUESTIONS.

21

22 **ALFREDO PEDROZA, CHAIR:** THANK YOU, PIERCE. SO AT THIS POINT,
23 I'LL SEE IF THERE ARE ANY COMMISSIONER QUESTIONS. COMMISSIONER
24 DUTRA-VERNACI

25



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1 **CAROL DUTRA-VERNACI:** YES. THANK YOU SO MUCH. SO MY QUESTION IN
2 THE EXPRESS LANES, AS WE'VE BEEN TALKING ABOUT MAKING CHANGES
3 AND WHAT HAVE YOU, A FEW WEEKS BACK I WAS ASKED BY SOMEBODY,
4 WHY WE HAVE THE EXPRESS LANES RUNNING FROM 5:00 A.M. UNTIL
5 8:00 P.M. ALL DAY LONG. AND WHEN WE INITIALLY DID THAT, I
6 ASKED THE QUESTION, BUT OF COURSE I FORGOT WHAT THE ANSWER
7 WAS. SO THAT'S MY QUESTION NOW. WHAT IS THE ANSWER SO AS
8 PEOPLE ARE ASKING I CAN GIVE THEM SOMETHING BETTER THAN, WELL,
9 BECAUSE. SO --

10

11 **SPEAKER:** WELL I THINK PART OF THE ANSWER IS FOR CONSISTENCY
12 WITH ALL OF THE EXPRESS LANES HOURS IN THE REGION. WE PLACED A
13 PREMIUM ON CONSISTENCY. ANOTHER PORTION OF THE ANSWER RELATES
14 TO OUR ABILITY TO HAVE THIS SYSTEM KIND OF OPERATIONAL WHEN
15 THERE IS A PROBLEM. I MEAN, ESPECIALLY ON 880. YOU KNOW,
16 CONGESTION REALLY OCCURS ALMOST ANY TIME OF THE DAY, FRANKLY.
17 SO YOU KNOW THERE IN PARTICULAR HAVING ALL DAY HOURS IS
18 IMPORTANT. I DON'T KNOW IF LISA OR SOMEBODY ELSE WANTS TO ADD
19 TO THAT BUT THAT WOULD BE MY ANSWER

20

21 **SPEAKER:** MATT YOU'RE ON -- THERE YOU GO.

22

23 **SPEAKER:** OKAY. THANK YOU. I LIKE THE EXPLANATION, ESPECIALLY
24 WITH -- IF THERE WAS SOMETHING TO HAPPEN, THEN IT IS ALREADY
25 IN PLACE TO ALLOW PEOPLE TO MOVE AROUND MORE FREELY AND YOU'RE



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1 RIGHT SINCE I LIVE IN THE 880 CORRIDOR, IT DOESN'T MATTER
2 THERE. THANK YOU FOR THAT EXPLANATION

3

4 **ALFREDO PEDROZA, CHAIR:** THANK YOU, COMMISSIONER. ANY OTHER
5 COMMISSIONER COMMENTS. THIS WAS AN INFORMATIONAL ITEM, AS
6 PIERCE SHARED. DO WE HAVE ANY PUBLIC COMMENTS?

7

8 **KIMBERLY WARD, CLERK:** YES WE DO. I HAVE NOTHING IN WRITING. I
9 SEE ROLAND WITH HIS HAND RAISED. PLEASE UNMUTE YOURSELF. YOU
10 HAVE TWO MINUTES.

11

12 **SPEAKER:** THANK YOU. SO WITH REGARDS TO DIRECTOR QUESTION ABOUT
13 ALL DAY TOLLING, I COMMUTED BETWEEN SAN JOSE AND OAKLAND. SO I
14 TOOK 880 EVERY DAY. FOR SEVEN YEARS. AND AT THAT TIME THE CAR
15 POOL LANES OPEN AT 9:00. AND MY EMPLOYER ACTUALLY AGREED -
16 - SOME OF US ARGUED THE POINT -- THAT IF WE STARTED COMING TO
17 WORK LATE, LET'S SAY 10:00 TO 11:00 IN THE MORNING AND LEFT
18 AFTER 7:00 IN THE EVENING, WE WILL BE ABLE TO COMMUTE FASTER
19 TO WORK. AND I DON'T KNOW WHETHER IT WOULD MAKE ANY DIFFERENCE
20 NOW, BUT IT MADE A HECK OF A DIFFERENCE NOW, BECAUSE A LOT OF
21 US, INSTEAD OF CLOGGING THE FREEWAY DURING PEAK WOULD ACTUALLY
22 BE USING IT OFF PEAK. NOW, IF YOU'RE TELLING ME THERE'S NO
23 LONGER AN OFF PEAK, THEN IGNORE ANYTHING THAT I SAID BECAUSE
24 IT IS IRRELEVANT. THANK YOU.

25



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1 **KIMBERLY WARD, CLERK:** THANK YOU. NEXT SPEAKER IS ALITO DUPREE.
2 PLEASE UNMUTE YOURSELF, YOU HAVE TWO MINUTES MS. DUPREE

3

4 **SPEAKER:** THANK YOU CHAIR ALFREDO PEDROZA. ALITO DUPREE FOR THE
5 RECORD SHE AND HER. THIS IS GOOD WORK. WE'RE STARTING
6 SOMETHING NEW. JUST LIKE WE DID WITH BATTLE WORK JUST EARLIER
7 TODAY, NOW WE'RE EXPANDING THESE PRINCIPLES FURTHER OUT TO
8 REACH MORE PEOPLE AND MORE SITUATIONS. AND SO, YES, THIS
9 REQUIRES AN ORDINANCE. SO THIS IS OUR KICK OFF. THE TIME HAS
10 COME IN ORDER FOR US TO START DOING THE HEAVY LIFTING. THIS IS
11 ANOTHER WAY TO REACH FURTHER AND GET PEOPLE ON TO FASTRAK. AS
12 I'VE SAID BEFORE, EVERY TIME YOU HAVE A CASH PAIR OR SOMEBODY
13 WHO BUYS A TICKET ON A TRANSIT SYSTEM, THAT IS A CLIPPER
14 CUSTOMER OR A FASTRAK CUSTOMER -- EXCUSE ME, CLIPPER START OR
15 HOPEFULLY SOME DAY A FASTRAK START. THESE LANES ARE NOT MEANT
16 SIMPLY FOR THE HIGHEST BIDDER. BUT IN ORDER TO ENSURE THERE
17 ARE HIGHWAYS FLOW FREELY, IT IS ABOUT GETTING EVERYBODY
18 INVOLVED. AND THIS WILL HELP. SO THIS IS THE BEGINNING. AND I
19 LOOK FORWARD TO SEEING THIS PROCESS UNFOLD. AND MAKING THESE
20 MEETINGS ACCESSIBLE, AS MUCH AS WE CAN, TO EVERYONE. THANK
21 YOU.

22

23 **KIMBERLY WARD, CLERK:** THANK YOU. THERE ARE NO ADDITIONAL
24 PUBLIC HANDS, MR. CHAIR

25



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1 **ALFREDO PEDROZA, CHAIR:** I'LL BRING IT BACK TO THE COMMISSION.
2 COMMISSIONER WORTH.

3

4 **AMY WORTH:** THANK YOU, MR. CHAIR. I WANTED TO ECHO THE COMMENTS
5 EARLIER IN TERMS OF BRINGING THIS FORWARD. I'M SO GRATEFUL
6 THAT THIS IS COMING FORWARD TO US. AND I WANT TO THANK STAFF
7 FOR YOUR HARD WORK IN PREPARING THIS, ANALYZING THE ISSUES AND
8 BRINGING FORWARD A PROGRAM THAT I THINK WILL BE REALLY
9 EFFECTIVE THIS WEEK AS WE MOVE FORWARD WITH OUR EXPRESS LANES
10 SYSTEM. SO THANK YOU SO MUCH AND I KNOW THAT OUR USERS ARE
11 GOING TO REALLY APPRECIATE THESE INITIATIVES AND LOOK FORWARD
12 TO COMING -- TO IT COMING BACK TO US IN AN ORDINANCE FORUM.
13 THANK YOU AGAIN.

14

15 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. SO AGAIN, I DON'T SEE ANY
16 OTHER COMMISSIONER COMMENTS. THIS WAS AN INFORMATIONAL ITEM.
17 PIERCE, THANK YOU AGAIN FOR YOUR REPORT AND TO THE
18 COMMISSIONERS FOR YOUR THOUGHTFUL COMMENTS. LET'S MOVE ON TO
19 OUR FINAL ITEM, 4C, FUTURE BAIFA ROLES AND OPPORTUNITIES.
20 STAFF WILL PROVIDE A SUMMARY OF THE IMPORTANT ROLES OF THE BAY
21 AREA INFRASTRUCTURE FINANCING AUTHORITY, BAIFA, COULD PLAY IN
22 STATE ROUTE 37 TOLLING AND TRANSPORTATION FINANCING AND A
23 PROPOSED APPROACH TO STRUCTURING BAIFA SO IT MAY FILL THOSE
24 ROLES. LISA KLEIN WILL PRESENT ON THIS ITEM. TAKE IT AWAY,
25 LISA



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1
2 **SPEAKER:** NOW I GET TO SAY GOOD AFTERNOON, COMMISSIONERS
3 BECAUSE IT IS NOW PAST NOON. SO AS THE CHAIR MENTIONED, THIS
4 IS AN ITEM FOR OPPORTUNITIES FOR BAIFA TO SERVE A COUPLE OF
5 NEW ROLES -- I SHOULD ADD I'M LISA KLEIN WITH MTC STAFF FOR
6 THE RECORD. THIS IS ABOUT OPPORTUNITIES FOR BAIFA TO SERVE A
7 COUPLE OF NEW ROLES BOTH AS A -- POTENTIALLY AS A TOLLING
8 AGENCY FOR STATE ROUTE 37 IN LEGISLATION THAT WE EXPECT
9 SENATOR DAWD TO REINTRODUCE EARLY NEXT YEAR. AND ALSO AS A
10 REGIONAL TRANSPORTATION CONDUIT FINANCING BOARD. AND THAT'S
11 SOMETHING THAT HAD PREVIOUSLY BEEN DISCUSSED STILL ON THE
12 TABLE FOR THE BARK CAR REFINANCING. BUT POTENTIALLY BAIFA
13 COULD DO QUITE A BIT MORE IN THIS SPACE. LAST SPRING RIGHT
14 BEFORE THE PANDEMIC WAS UNLEASHED, STAFF INTRODUCED A
15 DISCUSSION OF BOTH OF THESE ROLES. AND THEN, YOU KNOW, ALL OF
16 THAT DISCUSSION KIND OF PAUSED WITH THE PANDEMIC. BUT BECAUSE
17 SENATOR DODD IS EXPECTED TO REINTRODUCE THE LEGISLATION EARLY
18 NEXT YEAR, WE DO WANT TO RESTART DISCUSSION ON THESE ROLES.
19 AND WE'RE LOOKING FOR YOUR GUIDANCE ON THE NEXT STEPS OVER THE
20 NEXT COUPLE OF MONTHS SO THAT WE CAN PROVIDE INPUT TO SENATOR
21 DODD'S LEGISLATION WHEN HE INTRODUCES IT. YOU KNOW, AS WE
22 MENTIONED BEFORE, BAIFA IS A POTENTIAL VEHICLE FOR BOTH OF
23 THESE ROLES, BUT IT WOULD REQUIRE SOME CHANGES TO THE
24 STRUCTURE OF BAIFA. COULD YOU PLEASE BRING UP THE SLIDES? I
25 THINK I GOT PIERCE'S CONTAGIOUS FORGETFULNESS THERE. SO GO



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1 AHEAD AND ADVANCE TO THE NEXT SLIDE, PLEASE. SO SINCE WE
2 STARTED THE DISCUSSION LAST SPRING AND OVER THE PAST ALMOST
3 TWO YEARS, EVENTS HAVE REALLY UNDERSCORED BOTH THE NEEDS AND
4 OPPORTUNITIES IN HOW WE'D APPROACH THIS, YOU KNOW, NUMBER 1,
5 THE COMMISSION ADOPTED PLAN BAY AREA 2050, THIS INCREDIBLE
6 VENT PROGRAM, WE NEED TOOLS LIKE REGIONAL CONDUIT
7 TRANSPORTATION. SECOND STATE ROUTE 37 IS ENTERING INTO WHAT IS
8 AN EVEN MORE ACTIVE TOLLING LANDSCAPE SINCE LAST SPRING, YOU
9 KNOW WE'VE INTRODUCED ALL ELECTRONIC TOLLING, WE HAVE AN
10 EQUITY ACTION PLAN, WE HAVE EVEN MORE EXPRESS LANES UP AND
11 RUNNING THAN WE DID AT THE TIME. AND YOU KNOW, AS WAS
12 DISCUSSED EARLIER TODAY, MORE THAN EVER, THE COMMISSION AND
13 OTHERS, YOU KNOW, REALLY RECOGNIZED THE IMPORTANCE OF
14 SEAMLESSNESS. SO THERE'S REAL VALUE IN A FORUM, WHERE THERE
15 ARE FOLKS AT THE TABLE WHO CAN HAVE A COMPREHENSIVE PICTURE OF
16 TOLLING TO BETTER NAVIGATE THIS SPACE. AND THIRDLY, THE PAST
17 YEAR HAS ALSO REALLY UNDERSCORED THE COST OF ADMINISTRATIVE
18 COMPLEXITY AND THE TRADE OFFS. YOU KNOW, WE SPEND RESOURCES ON
19 ADMINISTRATION THAT WE COULD BE SPENDING TO ACHIEVE OUTCOMES.
20 SO AS MUCH AS POSSIBLE, THERE'S VALUE IN TRYING TO
21 STREAMLINE -- STREAMLINE THESE ORGANIZATIONS. NEXT SLIDE,
22 PLEASE. THE ORIGINAL, JUST A REFRESHER, THE ORIGINAL BAIFA
23 JOINT POWERS AGREEMENT WAS CREATED IN 2006. AND IT WAS REALLY
24 TO FINANCE THE STATE'S CONTRIBUTION TO THE TOLL BRIDGE SEISMIC
25 PROGRAM. AND AS YOU CAN SEE, YOU KNOW, THAT BOARD WAS BASED ON



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1 A POSITION IN MTC AND BATA LEADERSHIP. AND IT WAS NOT
2 GEOGRAPHICALLY BASED. AT THE TIME IT WAS ENVISIONED BAIFA
3 COULD PLAY A LARGER ROLE IN FINANCING BUT THAT WAS REALLY NOT
4 ACTIVATED AT THE TIME. NEXT SLIDE, PLEASE. IN 2013, MTC AND
5 BATA MODIFIED THAT JOINT POWERS AGREEMENT TO REALLY FOCUS ON
6 THE EXPRESS LANES INITIATIVE. THE STATE FINANCING WAS FOR THE
7 TOLL BRIDGES WAS PRETTY MUCH, YOU KNOW, PRETTY MUCH WRAPPED
8 UP. AND SO THE -- BATA MTC AMENDED THE AGREEMENT TO INCLUDE
9 THE EXPRESS LANES RESPONSIBILITIES AND ALSO REVISED THE
10 MEMBERSHIP TO REALLY FOCUS ON THE COUNTIES IN MTC'S NETWORK.
11 THESE ARE THE LANES THAT MTC HAS THE AUTHORITY TO IMPLEMENT
12 AND OPERATE. AND YOU KNOW, AT THIS FORMAT I THINK HAS SERVED
13 US VERY WELL, IF I CAN BE SO BOLD AS TO SAY IT. AND I THINK WE
14 HAVE AN OPPORTUNITY TO LEVERAGE WHAT WE BUILT AND ALSO RISE TO
15 SOME OF THESE NEW LEADS. NEXT SLIDE. SO THIS IS THE STAFF
16 PROPOSAL.

17

18 **SPEAKER:** NOT A BRAND NEW CONCEPT. BUT WE HAVE REFINED IT A BIT
19 SINCE LAST SPRING. THE CONCEPT IS FIRST AND FOREMOST TO EXPAND
20 THE BAIFA BOARD. SO IT IS COTERMINOUS WITH MTC. AND THAT
21 PROVIDES A PLATFORM FOR REGIONAL TRANSPORTATION CONDUIT
22 FINANCING. WHICH AS NOTED WOULD BE VERY HELPFUL TO IMPLEMENT
23 PLAN BAY AREA INVESTMENT PROGRAM. THAT BOARD WOULD THEN CREATE
24 A TOLLING COMMITTEE. AND THAT COMMITTEE WOULD OPERATE A LOT
25 LIKE BATA OVERSIGHT DOES TODAY. IT WOULD PROVIDE IN DEPTH



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1 REVIEW AND RECOMMENDATIONS FOR ALL TOLLING RELATED MATTERS.
2 BOTH FOR EXPRESS LANES AND FOR STATE ROUTE 37. SO I THINK THIS
3 DOES RETAIN, TO A LARGE EXTENT, THE ORIGINAL INTENT, WHEN MTC
4 AND BATA FORMED, WE STILL WOULD HAVE ON THE TOLLING COMMITTEE,
5 THE THREE EXPRESS LANES COUNTY REPRESENTATIVES. THAT'S YOU
6 ALL. AND YOU STILL HAVE THE SAME PRIMARY ROLE IN LOOKING AT
7 BOTH INVESTMENT PRIORITIES FOR EXPRESS LANES, REVENUE BUILD
8 OUT OF THE REVENUE NETWORK AND EXPRESS LANES POLICIES AND THEN
9 THE SIMILAR POLICIES WOULD BE ADDED ON FOR STATE ROUTE 37.
10 ALONG WITH THE COUNTY COMMISSIONERS IN THE 37 CORRIDOR. NEXT
11 SLIDE, PLEASE. SO, YOU KNOW, I THINK THIS DOES A REALLY GOOD
12 JOB OF ADDRESSING THE THREE OPPORTUNITIES. I'VE ALREADY SPOKEN
13 TO IT POSITIONS THE BOARD FOR BROADER TRANSPORTATION
14 FINANCING. THE TOLLING COMMITTEE HAS BOTH STRONG SUBJECT AND
15 GEOGRAPHIC KNOWLEDGE. AND AT THE SAME TIME, IT EXISTS IN THE
16 LARGER CONTEXT OF THE BOARD THAT CAN HELP UNDERSTAND THE
17 RELATIONSHIPS WITH BATA AND REALLY AIM FOR A SEAMLESS AND
18 RATIONAL TOLLING EXPERIENCE ACROSS ALL TOLLING FACILITIES. AND
19 I'LL COME BACK TO THAT IN A MOMENT. AND THIRD, IT DOES SO BY
20 ADDING JUST ONE -- JUST ONE MORE COMMITTEE. SO SORT OF
21 MINIMIZING THE ADMINISTRATIVE ADD. THE NEXT SLIDE, IF YOU GO
22 THERE, IS AN ATTEMPT TO ILLUSTRATE THE COMPLEXITY OF THE
23 TOLLING LANDSCAPE AND REALLY UNDERSCORE THE VALUE OF THIS
24 BROADER PERSPECTIVE THAT WE -- THAT THIS PROPOSAL BRINGS. IT
25 IS A LOT ON THIS SLIDE. YOU KNOW, THE ROWS ARE VARIOUS -



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1 - VARIOUS POLICIES IN THE TOLLING AREA VIOLATION PENALTIES,
2 TOLL RATES, ET CETERA. THE COLUMNS ON THE LEFT, YOU KNOW, WE
3 HAVE BATA'S POLICIES ON THE RIGHT HAVE EXPRESS LANES AND 37,
4 WHICH IS PENDING LEGISLATION IS IN THE MIDDLE. AND BLUE THE
5 SHOWS WHERE POLICIES LINE UP WITH BATA. WILL BE LINING UP WITH
6 BATA. AND THE GREEN SHOWS WHERE BAIFA'S EXPRESS LANES
7 CONSISTENT WITH OTHER BAY AREA EXPRESS LANES. AND IN SOME
8 CASES -- IT IS ALL CONSISTENT ACROSS THE BOARD. WITHOUT GOING
9 INTO A LOT OF DETAIL ON EACH CELL BECAUSE IT IS LATE, I THINK
10 THE POINT HERE IS THAT IT IS A VERY -- IT IS A MULTIFACETED
11 PICTURE. AND THE MORE WE POSITION, YOU KNOW, ONE BODY TO KIND
12 OF UNDERSTAND THIS PICTURE, THE BETTER CHANCE WE HAVE TO MAKE
13 SENSE OF IT AND MAKE IT SEAMLESS. NEXT SLIDE, PLEASE. A REALLY
14 IMPORTANT PIECE OF THIS PROPOSAL WAS -- NOT JUST THE PROPOSAL,
15 THIS IS A FACT, THE REVENUE FROM EACH OF THE PROGRAMS THAT
16 WE'RE TALKING ABOUT IS PROTECTED. AND IT IS PROTECTED IN
17 STATUTE AND BOND COVENANTS. SO EXPRESS LANE STATUTE CLEARLY
18 SPECIFIES THAT REVENUE FROM THE EXPRESS LANES MAY BE USED ONLY
19 FOR THE EXPRESS LANE FACILITY. OR IN THE CASE OF NET REVENUE,
20 EVEN MORE FURTHER RESTRICTED WITHIN THE CORRIDORS THAT THOSE
21 EXPRESS LANES EXIST IN. STATE ROUTE 37 LEGISLATION WILL, YOU
22 KNOW, VERY LIKELY HAVE SIMILAR PROTECTIONS WRITTEN INTO IT.
23 AND IN TERMS OF FINANCING, IF, YOU KNOW, FTA REVENUE IS USED
24 TO BACK -- BACK TRANSIT FINANCING, THAT REVENUE COULD ONLY BE
25 USED FOR THE TRANSIT FINANCING, IT CANNOT BE USED FOR EXPRESS



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1 LANES OR STATE ROUTE 37. NEXT SLIDE, PLEASE. THE COMMISSION
2 HAS BEEN ATTENTIVE. COMMISSION BAIFA BEEN ATTENTIVE TO THE
3 SEAMLESS EXPRESS LANES WITH MULTIPLE OPERATORS. WE TALKED
4 ABOUT 24 EARLIER TODAY. AND I JUST WANT TO NOTE THAT THIS
5 STRUCTURE IS BEAR IT IS A GOOD STRUCTURE IF A NEW CORRIDOR HAS
6 COME ONLINE OR IF EXISTING PARTNERS ARE WILLING, IT ALLOWS THE
7 ABILITY TO REALLY BRING THEM INTO THE TOLLING COMMITTEE VERY
8 EASILY. AND SO THAT IS ANOTHER ADVANTAGE OF THIS STRUCTURE.
9 NEXT SLIDE, PLEASE. YOU KNOW, WE DO A STAFF, THE BEST
10 PROPOSAL, THE BEST RISE IS TO RISE TO THE OCCASION WE DID LOOK
11 AT A COUPLE OF OTHER ALTERNATIVES. THIS ALTERNATIVE 1 IS
12 FAIRLY SIMILAR TO THE PROPOSAL. IT WOULD SIMILARLY MAKE THE
13 FULL BOARD COTERMINOUS WITH MTC, HOWEVER, IT WOULD CREATE
14 SEPARATE COMMITTEES, ONE FOCUSED ON 37 AND ONE FOCUSED ON
15 EXPRESS LANE. EACH WITH A SPECIFIC GEOGRAPHIC AND AT A
16 SLIGHTLY NARROWER SCOPE. SO IT ALLOWS MORE SPECIFIC FOCUS ON
17 THE INDIVIDUAL TOLLING ENTITIES. BUT IT REALLY DOESN'T
18 FACILITATE SEAMLESSNESS TO THE SAME DEGREE AND QUITE FRANKLY
19 TOPS A LOT OF THE COMMISSIONERS, SAME COMMISSIONERS FOR TWO
20 ADDITIONAL COMMITTEES. NEXT SLIDE. WE ALSO LOOKED AT AN
21 ALTERNATIVE TO BE HONEST, THIS IS OUR LEAST PREFERRED OPTION
22 AS STAFF OR LEAST RECOMMENDED. IT TAKES THE IDEA OF SEPARATION
23 EVEN FURTHER, IT WOULD CREATE THREE SEPARATE JOINT POWERS
24 AUTHORITY. A FINANCING AUTHORITY THAT COULD BE COTERMINOUS
25 WITH MTC. CONTINUOUS AND EXPRESS LANES TOLL AUTHORITY AS BAIFA



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1 IS TODAY AND IT WOULD ADD A NEW AIRBUS -- A NEW AUTHORITY
2 FOCUSED ON STATE ROAD 37. IT IS CLEARLY RESOURCE INTENSIVE AND
3 REALLY A CHALLENGE -- AND REALLY A CHALLENGE IN TERMS OF
4 HAVING A COHESIVE CONVERSATION. JUST A COUPLE MORE SLIDES.
5 NEXT SLIDE IS A SUMMARY OF THE -- THAT COMPARES THE THREE
6 ALTERNATIVES. AND I WON'T GO THROUGH THIS. YOU KNOW, YOU
7 REALLY HAVE HEARD MY PITCH ALREADY. ALL THREE ALTERNATIVES DO
8 ACHIEVE -- THEY DO CREATE A REGIONAL FINANCING AUTHORITY. THEY
9 DO CREATE A TOLLING AUTHORITY FOR 37. BUT WE THINK THE
10 RECOMMENDED APPROACH REALLY DOES THE BEST IN PROMOTING
11 SEAMLESSNESS. AND IN TERMS OF THE ADMINISTRATIVE SIMPLICITY.
12 AND THE LAST SLIDE HERE IS A SCHEDULE. NEXT SLIDE, PLEASE. SO,
13 YOU KNOW, WE'RE LOOKING FOR DIRECTION FROM BAIFA HERE ON THE
14 IMMEDIATE NEXT STEPS, IN PARTICULAR WHETHER BAIFA WOULD LIKE
15 US LIKE STAFF TO RETURN. IN ORDER TO MAKE A FORMAL
16 RECOMMENDATION, FOR EXAMPLE, TO MTC. OUR GOAL IS TO ASK MTC TO
17 APPROVE A CONCEPT IN EARLY 2022, IN JANUARY OR FEBRUARY AT THE
18 LATEST. SO THAT THE STATE ROUTE 37 BILL CAN SPECIFY A TOLLING
19 AGENCY IN THE BILL. WE WOULD, HOWEVER, HOLD OFF ANY AMENDMENTS
20 TO THE JOINT POWERS AGREEMENT ITSELF UNTIL THE SPRING UNTIL
21 AFTER BAIFA FINISHED THE TOLL ORDINANCE AMENDMENT THAT PIERCE
22 JUST PRESENTED. AND IF POSSIBLE, BENEFITS TO MAKING CHANGES
23 BEFORE BAIFA WOULD CONSIDER THE BART CAR FINANCING THAT WOULD
24 WE WOULD EXPECT TO COME BACK AS THIS SPRING. AS THEY NEED
25 PROCEEDS AS SOON AS THIS SUMMER. THAT CONCLUDES MY



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1 PRESENTATION. I THINK WE'RE LOOKING HERE FROM DIRECTION FROM
2 BAIFA, IF YOU'D LIKE TO SEE THIS AGAIN OR IF YOU FEEL IT IS A
3 PROPOSAL THAT IS READY TO BRING TO MTC FOR CONSIDERATION AND
4 CONCEPT. THANK YOU.

5

6 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. THANK YOU, LISA.

7

8 **SPEAKER:** PRESENTATION. SO, AGAIN THIS IS AN INFORMATIONAL
9 ITEM. SO I WANT TO CALL ON VICE CHAIR JOSEFOWITZ AND THEN
10 COMMISSIONER SPERING

11

12 **NICK JOSEFOWITZ, VICE CHAIR:** THANK YOU. AND THANK YOU FOR
13 THIS CLEAR PRESENTATION AND THEN ONES DEALING WITH GOVERNANCE
14 ISSUES IT IS ALWAYS NICE TO HAVE THESE TYPES OF CLEAR
15 PRESENTATIONS. AND IT IS GREAT THAT WE'RE GETTING INVOLVED SO
16 PROACTIVELY IN HELPING TO TRY TO HELP DELIVER ON THE 37
17 PROJECT. IT IS A -- CLEARLY A PROJECT OF SUPER SIGNIFICANCE TO
18 THE NORTH BAY BUT IT IS A SIGNIFICANT -- I THINK IT IS A
19 PROJECT THAT RISES TO THE REGIONAL SIGNIFICANCE. I WAS JUST
20 WONDERING. I GOT LIKE A LONG E-MAIL ABOUT THIS FROM SFCTA. I
21 WAS WONDERING IF -- BECAUSE THIS IS SORT OF A GOVERNANCE
22 ISSUE. IT DOESN'T JUST DEAL WITH 37. IS THIS SOMETHING THAT
23 YOU HAVE CONSULTED WITH THE OTHER TA'S ON AROUND THE REGION?

24



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1 **SPEAKER:** THAT IS A GREAT QUESTION, COMMISSIONER. WE HAD SPOKEN
2 TO THE CTA'S IN THE EXISTING BAIFA ORGANIZATION AND THE STATE
3 ROUTE 37 CORRIDOR AS A FIRST STEP AND PLAN TO TALK SOME MORE
4 WITH OTHER COUNTIES SUCH AS SAN FRANCISCO IN EARLY DECEMBER.
5 WE DID WANT TO HAVE OPPORTUNITY FOR BAIFA, YOU YOURSELF, TO
6 CONSIDER THIS, YOU KNOW -- TO CONSIDER THIS PROPOSAL BEFORE WE
7 GOT TOO FAR AHEAD IN SPEAKING TO THE OTHER COUNTIES. BUT THAT
8 WAS OUR NEXT STEP

9

10 **NICK JOSEFOWITZ, VICE CHAIR:** GREAT. I APPRECIATE THAT. I
11 THINK THAT WOULD BE REALLY HELPFUL. SAN FRANCISCO I THINK IS
12 NOW ONE OF THE ONLY ONES THAT IS NOT INCLUDED IN THIS -- IN
13 THE NEW STRUCTURE. AND SO I KNOW THAT THEY HAVE A LOT OF
14 QUESTIONS. COULD YOU -- I'M JUST GOING TO ASK -- I'LL SEND YOU
15 AN E-MAIL WITH MORE. BUT I JUST HAVE ONE QUESTION. WHAT -
16 - WHAT ARE THE -- CAN YOU RUN ME THROUGH AGAIN, WHAT ARE THE -
17 - IN YOUR STARK PROPOSAL IN ALTERNATIVE 1, WHAT IS ACTUALLY
18 GOING TO BE DELEGATED TO THE COMMITTEES? OR IS THERE NOTHING
19 THAT IS GOING TO BE TOTALLY DELEGATED TO THE COMMITTEES AND
20 EVERYTHING IS GOING TO HAVE TO COME BACK UP TO BAIFA?

21

22 **SPEAKER:** YEAH, THAT IS ALSO A GOOD QUESTION. YOU KNOW,
23 THERE'S -- WHAT WE KNOW FROM OUR EXISTING -- THE WAY OUR
24 EXISTING COMMITTEES WORK, YOU KNOW, I CERTAINLY THINK CONTRACT
25 APPROVAL WOULD BE DELEGATED. WHAT IS A LITTLE LESS CLEAR IS



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1 HOW MUCH ADDITIONAL AUTHORITY COULD BE DELEGATED. WE KNOW
2 CERTAIN THINGS CAN'T BE DELEGATED, RIGHT? YOU CAN'T DELEGATE
3 BUDGET APPROVALS. YOU CAN'T DELEGATE TOLL ORDINANCE, THOSE
4 WOULD ALL HAVE TO BE APPROVED BY THE FULL COMMITTEE.
5 DELEGATION OF CERTAIN POLICIES, OTHER POLICIES, I THINK ARE -
6 - OUR GENERAL COUNCIL SHOULD FEEL FREE TO CHIME IN HERE, IS MY
7 UNDERSTANDING IS THAT WOULD BE VERY UNUSUAL IN A JPA STRUCTURE
8 TO DELEGATE THOSE FULLY. BUT I -- AND THERE'S PROBABLY SOME
9 RISK ASSOCIATED WITH THAT.

10

11 **NICK JOSEFOWITZ, VICE CHAIR:** AND SO THE -- AND THE FINANCINGS
12 WOULD --

13

14 **SPEAKER:** NOT BE DELEGATED. THE FINANCES, YES, HAVE TO BE DONE
15 BY THE WHOLE BOARD. SO THREE THINGS WE KNOW FOR SURE CANNOT BE
16 DELEGATED. THE OTHER IS YOU KNOW, MAY HAVE SOME POTENTIAL BUT
17 PROBABLY WITH SOME RISK AND, YOU KNOW, AND ALSO I THINK SOME
18 DRAWBACKS. PARTICULARLY IF WE ARE LOOKING FOR THE VALUE OF
19 SOME, YOU KNOW, DISCUSSION OF SORT OF A BROADER CONTEXT.

20

21 **NICK JOSEFOWITZ, VICE CHAIR:** GREAT. BECAUSE I KNOW THAT THERE
22 ARE SOME CONCERNS. I DON'T KNOW IF YOU ADDRESSED THEM OR NOT
23 THAT, LIKE, WHEN -- AND THIS IS TRUE FOR THE EXPRESS LANES AS
24 WELL AS FOR THE BOT FINANCING AND EVERYTHING. IF ONE OF THESE
25 FINANCINGS, WE'RE KIND OF WORKING AS A CONDUIT AGENCY FOR



November 17, 2021

1 OTHER AGENCIES FOR SPECIFIC PROJECTS, IF ONE OF THOSE PROJECTS
2 GOES SOUTH, IF ONE OF THOSE AGENCIES DOESN'T MEET THEIR
3 REVENUE TARGETS FOR WHATEVER REASON, YOU KNOW, THERE'S CONCERN
4 THEN THAT'S GOING TO, LIKE, REQUIRE EVERYBODY ELSE TO
5 AUTOMATICALLY HAVE TO STEP IN TO BAIL THEM OUT. WHICH MAY BE
6 THE APPROPRIATE THING TO DO. BUT I THINK THERE'S CONCERN THAT
7 THAT MIGHT JUST HAVE TO HAPPEN AND NO ONE WILL HAVE ANY
8 OPTIONS TO DO IT BECAUSE WE'LL JUST HAVE TO MEET OUR SORT OF
9 BOND COVENANTS. AND SO I THINK THAT -- THAT IS JUST I THINK
10 ONE OF THE THINGS TO -- THAT I'D LIKE TO SORT OF BETTER
11 UNDERSTAND AND DOESN'T HAVE TO HAPPEN HERE, BUT MAYBE WHEN
12 YOU'RE KIND OF DOING THE OUTREACH TO THE OTHER -- SFCTA AND
13 OTHERS.

14

15 **ALFREDO PEDROZA, CHAIR:** THANK YOU VICE CHAIR JOSEFOWITZ,
16 COMMISSIONER SPERING AND COMMISSIONER DUTRA-VERNACI AND
17 COMMISSIONER WORTH

18

19 **JAMES SPERING:** THANK YOU, CHAIR. LISA THANK YOU FOR THE
20 PRESENTATION. I SUPPORT THE RECOMMENDATION THAT STAFF IS
21 SUPPORTING. YOU KNOW, AS ALL OF YOU KNOW, 37, THERE'S A LOT OF
22 QUESTION MARKS A LOT OF UNKNOWNNS AND ONE OF THEM IS, IS
23 FINANCING, TOLLING, THE VERY THINGS SENATOR DODD IS LOOKING AT
24 PUTTING IN HIS LEGISLATION. I SUPPORT THAT IT NEEDS TO BE PART
25 OF A LARGER SYSTEM. WE CAN'T HAVE A SEPARATE 37 GROUP. I THINK



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1 THAT IS VERY IMPORTANT. SO I WOULD -- I WOULD LIKE -- I LIKE
2 THE DIRECTION WE'RE GOING. AND OPTION 1, AGAIN, I JUST DON'T
3 WANT TO SEE THE 37 PROJECT PEELED OFF AS A SEPARATE WORKING
4 GROUP. I THINK IT HAS TO BE PART OF THE TOTAL SYSTEM. WE'RE
5 TRYING TO BUILD AN EXPRESS LANE SYSTEM IN THAT AREA. THE OTHER
6 POINT ON 37, IF IT DOESN'T -- IF MTC DOESN'T GET INVOLVED, I
7 DON'T THINK THIS PROJECT GETS DEVELOPED IN THE LIFETIME OF
8 MOST OF THE PEOPLE ON THIS ZOOM. AND, YOU KNOW, SOLANO COUNTY
9 HAS A LOT OF COMMUTERS THAT GO TO MERIN AND -- A LOT OF THEM
10 ARE NOT HIGH INCOME EARNERS. ONE OF THE QUESTIONS WE'VE BEEN
11 ASKING IS WOULD YOU BE WILLING TO PAY A TOLL TO SAVE AN HOUR
12 OR TWO HOURS IN YOUR COMMUTE ONE WAY? AND THE OVERWHELMING
13 RESPONSE IS YES. MY TIME WITH MY FAMILY OR GETTING HOME IS
14 WORTH THAT COST. AND SO THAT, AS MOST OF YOU KNOW, THAT
15 COMMUTE IS JUST GETTING WORSE EVERY SINGLE DAY. SO -- I THINK
16 IT IS AN INVESTMENT IN PEOPLE THAT REALLY NEED THE HELP. AND
17 IT IS A PROJECT THAT I THINK IS VERY IMPORTANT TO THE REGION,
18 THE EAST WEST CORRIDOR. SO KEEP UP THE GOOD WORK. AND I THINK
19 THIS IS A GOOD SOLUTION FOR SOME OF THESE UNKNOWNNS ON HOW
20 WE'RE GOING TO FINANCE AND MAINTAIN THE 37 CORRIDOR. THANK
21 YOU, MR. CHAIRMAN

22

23 **ALFREDO PEDROZA, CHAIR:** THANK YOU COMMISSIONER SPERING.
24 COMMISSIONER DUTRA-VERNACI.

25



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1 **CAROL DUTRA-VERNACI:** YES, THANK YOU CHAIR PEDROZA. SO I DO
2 APPRECIATE THE STAFF REPORT. IT HAD A LOT OF INFORMATION IN
3 IT. AND I APPRECIATE IT BECAUSE IT IS FORWARD THINKING TO MAKE
4 THINGS HAPPEN IN LIGHT OF SENATOR DODD'S BILL. THE OTHER THING
5 I LIKE ABOUT IT IS AS WE TALK ABOUT AT MTC, WE'RE TRYING TO
6 MAKE THINGS SEAMLESS AND EASIER EXPERIENCE FOR THE COMMUTERS,
7 AND I THINK THE STAFF PROPOSAL DOES THIS. I THINK IT WAS VERY
8 THOUGHTFUL IN TRYING TO LOOK AT WAYS TO BE THE LEAST
9 BUREAUCRATIC IN TERMS OF THE NUMBER OF AGENCIES AND WHAT THE
10 RESPONSIBILITIES ARE. THE OTHER THING I WAS APPRECIATIVE OF IS
11 LEARNING MORE ABOUT 37. THIS IS FIRST TIME I CAN RECALL WHERE
12 IT TALKED ABOUT MAKING AN EXPRESS TOLL LANES AND WHAT HAVE
13 YOU. SO I'VE WRITTEN TO COMMISSIONER SPERING THAT THIS IS
14 SOMETHING WE NEED TO DO TO KEEP PUSHING FOR 37. BECAUSE WE
15 NEED TO MAKE SURE THAT THE NORTH BAY IS TAKEN CARE OF AS MUCH
16 AS ANY OTHER SPOT IN OUR NINE BAY AREA COUNTIES. THANK YOU.

17

18 **ALFREDO PEDROZA, CHAIR:** THANK YOU COMMISSIONER. COMMISSIONER
19 WORTH.

20

21 **AMY WORTH:** THANK YOU, MR. CHAIR. FIRST OF ALL I WANT TO THANK
22 STAFF FOR THE INCREDIBLE CREATIVE THINKING AND LISTENING AND
23 TALKING ABOUT THIS. AND I SUPPORT THIS PROPOSAL. AS YOU KNOW
24 HAVING BEEN PART -- THOSE OF YOU PART OF THE ORIGINAL
25 STRUCTURE WAS REALLY PREDICATED ON THE FACT THAT OBVIOUSLY THE



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1 BATA OVERSIGHT WAS KEY. ALSO THE HOST COUNTIES THAT WERE DOING
2 THE EXPRESS LANES HAD TO HAVE A SENSE OF ASSURANCE THAT THE
3 RESOURCES THAT WERE BEING COLLECTED IN THOSE CORRIDORS AND THE
4 WILLINGNESS TO JOIN THE BAIFA ENTERPRISE MEANT THERE WAS GOING
5 TO AN EQUITABLE GEOGRAPHIC DISTRIBUTION OF RESOURCES IN TERMS
6 OF BUILDING OUT THE EXPRESS LANE. AND YOU KNOW, THAT WAS A
7 REALLY STRONG FEELING. I'M SEEING A FEW SMILES BECAUSE I KNOW
8 YOU KNOW WE WERE ALL PRETTY ADAMANT -- PRETTY STRONG ABOUT
9 THAT. SO I THINK THAT THE STRUCTURE THAT IS BEING PRESENTED
10 TODAY REALLY MAKES A LOT OF SENSE. BAIFA HAS THE CAPACITY TO
11 DO THE BROADER WORK. BUT WITH THE TOLLING COMMITTEE YOU STILL
12 MAINTAIN THAT STRUCTURE OF THE PEOPLE THAT ARE IN THE
13 ENTERPRISES ARE ABLE TO HAVE THE FIRST, YOU KNOW, DISCUSSION.
14 FIRST SHOT AT THE ISSUES THAT ARE GOING TO COME TO THE BROADER
15 COMMISSION. SO ULTIMATELY, EVERYBODY IS PART OF IT. BUT YOU
16 HAVE THIS -- YOU KNOW, YOU HAVE ALSO THIS FOCUS ON PEOPLE THAT
17 HAVE THE EXPRESS LANES. YOU KNOW, HAVE THE NETWORKS. AND I DO
18 THINK, AGREEING WITH COMMISSIONER SPERING MAKES A LOT OF SENSE
19 TO BE ABLE TO FOLD IN OTHER EXPRESS -- POTENTIAL EXPRESS LANE
20 ENTERPRISES LIKE ROUTE 37. I DO HAVE ONE CAUTION THAT I THINK
21 IS REALLY IMPORTANT. AND THIS IS JUST WHERE WE, YOU KNOW,
22 GOING FORWARD. THAT AS WE EXPAND THIS, WE NEED TO BE REALLY
23 THOUGHTFUL ABOUT HOW WE EXPAND RESOURCES. SO THAT THERE IS,
24 AGAIN, THIS SAME THING, THIS EQUITY GEOGRAPHIC EQUITY IN TERMS
25 OF HOW -- WHERE WE USE EITHER BATA RESOURCES OR OTHER



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1 RESOURCES THAT WILL GO INTO THE PLAY FOR THE CONSTRUCTION
2 ADMINISTRATION OF PROGRAMS BECAUSE WE STILL HAVE TO BUILD OUT
3 OUR EXISTING EXPRESS LANE NETWORK. YOU KNOW, WE'RE -- WE'RE
4 REALLY GRAPPLING WITH THE SAME CONGESTION ON THE RICHMOND
5 CENTER BRIDGE AS WE'VE BEEN TALKING ABOUT MENTIONED TODAY ON
6 37. THOSE SAME SERVICE WORKERS THAT ARE GOING WEST TO WORK.
7 AND THE TRAFFIC IS -- CONGESTION IS HORRENDOUS. BUT I THINK WE
8 NEED TO KEEP IN MIND ALL OF THE ENTITIES IN TERMS OF HAVING
9 THE CAPITAL AND THE OPERATIONS RESEARCH TO, YOU KNOW, TO CARRY
10 OUT, TO BE ABLE TO DO THE FORWARD INITIATIVES, FOR EXAMPLE, ON
11 THAT RICHMOND BRIDGE THAT INCORPORATE, YOU KNOW, CONTEMPLATE
12 POTENTIAL EXPRESS LANES. SO I JUST THINK THIS IS GREAT. I
13 THINK IT IS AN EXCELLENT SOLUTION AND LOOK FORWARD TO
14 SUPPORTING IT AS IT MOVES FORWARD. AND IT ALSO ADDRESSES THE
15 LEGAL ISSUES FOR FINANCING, BOND COVENANTS, ALL OF THAT GOOD
16 STUFF. SO THANK YOU VERY MUCH.

17

18 **ALFREDO PEDROZA, CHAIR:** THANK YOU COMMISSIONER WORTH. I DON'T
19 SEE ANY OTHER COMMISSIONERS WITH COMMENTS AT THIS POINT.
20 KIMBERLY DO WE HAVE ANY PUBLIC COMMENTS ASSOCIATED WITH THIS
21 ITEM?

22

23 **KIMBERLY WARD, CLERK:** YES, WE DO. I'VE RECEIVED NOTHING IN
24 WRITING FOR THIS ITEM AND I SEE ROLAND'S HAND RAISED. UNMUTE
25 YOURSELF, MR. LEBRON, YOU HAVE TWO MINUTES.



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1
2 **SPEAKER:** THANK YOU MR. CHAIR. THANK YOU LISA FOR ANOTHER GREAT
3 PRESENTATION. I'M EXTREMELY GLAD WE'RE STARTING THIS
4 CONVERSATION, WHY WE NEED THE EXPRESS LANES. I'M GOING TO
5 START WITH A GEOGRAPHIC DISTRIBUTION. ROAD IN SAN BENITO AND
6 MONTEREY COUNTY IS BEYOND OUT OF CONTROL. BTA'S RESPONSE IS TO
7 IMPROVE CONNECTIONS TO FULL FREEWAY WIDENINGS. 152, 25, 129,
8 AND THE ADDITIONAL ONE LANE ON THE 101 BETWEEN 25 AND 129. MTC
9 NEEDS TO STEP IN. BECAUSE RIGHT NOW NEITHER CAL TRANS NOR
10 REGION HAVE ANY PLANS OF ADDING EXPRESS LANES BETWEEN NORTH
11 MORGAN HILL AND HIGHWAY 25. MOVING ON TO BIGGER PROJECT. AS I
12 MENTIONED EARLIER, THE BOT PROJECT, BATA IS INCAPABLE OF
13 PLANNING, DESIGNING, LET ALONE FINANCING OR DELIVERING THIS
14 PROJECT. SO THE FIRST STEP WOULD BE FOR BAIFA TO COME IN WITH
15 A PLAN. I'M GOING TO CLOSE OUT WITH THE BIGGEST OF ALL ISSUES.
16 I WALKED INTO A COMMISSION MEETING ABOUT SEVEN YEARS AGO IN
17 OPEN, ASKING THE COMMISSION TO EMINENT DOMAIN A PARCEL THAT
18 THE TGA ABOUT TO SELL TO MAKE UP FOR THE SHORTFALL IN A BASIS.
19 \$600 MILLION FIRE SALE ON PARCELS. THIS INCLUDED A CRITICAL
20 PARCEL WHICH WAS EARMARKED FOR THE TRANSBAY CROSSING AND THE
21 HOWARD STREET. THAT WAS A HOWARD ALIGNMENT. HAD I KNOWN, AND
22 HAD THERE BEEN A FINANCE AUTHORITY AT THE TIME, IT WOULD BE
23 VERY SIMPLE TO DISCOVER CHECK TO THE GPA FOR \$160 MILLION,
24 WHAT THEY SOLD IT FOR AND 200% APPRECIATION, YOU KNOW, IN THE



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1 LAST SEVEN YEARS AND INTERIM -- AND TAKE OVER A BILLION
2 DOLLARS IN COLLATERAL DAMAGE. THANK YOU.

3

4 **ALFREDO PEDROZA, CHAIR:** THANK YOU, ROLAND

5

6 **KIMBERLY WARD, CLERK:** THERE ARE NO ADDITIONAL RAISED HANDS,
7 MR. CHAIR

8

9 **ALFREDO PEDROZA, CHAIR:** THANK YOU. AND I'LL BRING IT BACK TO
10 THE AUTHORITY AND WHAT I JUST SAID ABOUT APPRECIATING THE
11 COMMENTS OF FLL COMMISSIONERS. I AGREE THE ALTERNATIVE IS THE
12 DIRECTION WE NEED TO EXPLORE. AND THERE'S PROTECTION FOR
13 REVENUES. BUT WE TALK ABOUT WANTING SEAMLESS TRAVEL WE TALK
14 ABOUT WANTING CONSISTENCY, WE NEED DIRECTION TO ACHIEVE THOSE
15 OUTCOMES. THIS IS ON THE FRONT END OF SOMETHING WE CAN PREVENT
16 FROM SEEING THIS HAPHAZARD APPROACH. IT IS COORDINATION, IT IS
17 LEADING TO DECISIONS THAT ALLOW US TO INTEGRATE AT STATE ROUTE
18 7 INTO THE NETWORK. FOR THOSE REASONS I WANT TO EXPLORE AN
19 ALTERNATIVE ONE. AND I WANT TO THANK STAFF, LISA GREAT
20 PRESENTATION. BUT ALSO ACKNOWLEDGE I THINK COMMISSIONER
21 SPERING THAT POLICY, THEY'VE BEEN MEETING FOR YEARS. AND
22 THEY'VE BEEN DOING COMMISSION ENGAGEMENT, THERE'S A LOT OF
23 WORK THAT HAS GONE TO THIS POINT. AND NOW WE'RE AT THE POINT
24 WHERE WE HAVE TO SHOW THE COMMITMENT TO CONTINUE THIS PROGRESS
25 TO DELIVER OUTCOMES WHILE WE'RE STILL HERE. BECAUSE I THINK



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1 COMMISSIONER SPERING IS RIGHT, IF WE DON'T DO THIS, THIS
2 PROJECT WON'T HAPPEN. SO -- ANY FINAL COMMENTS FROM ANYONE?

3

4 **SPEAKER:** COMMISSIONER CHAIR PEDROZA IF I MAY?

5

6 **SPEAKER:** GO AHEAD

7

8 **SPEAKER:** ANDREW FREMIER, EXECUTIVE DIRECTOR. I WANTED A LITTLE
9 BIT OF CLARIFICATION. THE ALTERNATIVE ONE AS SHOWN IN THE
10 POWER POINT IS ACTUALLY NOT THE ONE THAT IS BEING BROUGHT
11 FORWARD THAT, IS THE TWO COMMITTEES. SO --

12

13 **ALFREDO PEDROZA, CHAIR:** SAY THAT AGAIN, ANDY, I APOLOGIZE

14

15 **SPEAKER:** IF YOU LOOK AT -- MAYBE WE CAN PULL BACK UP THE SLIDE
16 SHOW. SLIDE 10. I THINK PEOPLE ARE JUST TALKING ABOUT IT
17 INCORRECTLY. I THINK THE THEORY IS CORRECT. BUT I THINK THERE
18 WAS A LITTLE CONFUSION OVER THE ALTERNATIVES.

19

20 **ALFREDO PEDROZA, CHAIR:** GO AHEAD AND CLARIFY ANDY

21

22 **SPEAKER:** I WAS TRYING TO GET THE POWER POINT. ALEX, COULD YOU
23 PULL IT UP, IF YOU COULD, LOOKING FOR SLIDE 10.

24



November 17, 2021

1 **ALFREDO PEDROZA, CHAIR:** OH, I SEE BECAUSE THERE'S A
2 RECOMMENDED.

3

4 **SPEAKER:** YEAH, SO THE RECOMMENDED IS REALLY 0. IT IS NOT GOT
5 IN NUMBER. AND THEN WE TALKED ABOUT TWO ALTERNATIVES THAT WERE
6 BROUGHT FORWARD IN THE SPRING OF 20.

7

8 **ALFREDO PEDROZA, CHAIR:** OH, GOT IT.

9

10 **SPEAKER:** YEAH, I JUST DIDN'T WANT THE RECORD TO BE
11 MISREPRESENTED BECAUSE I DON'T THINK THAT IS THE -- THE
12 PROPOSAL IS SLIDE 5. ISN'T THAT CORRECT, LISA?

13

14 **SPEAKER:** YEAH. THAT'S CORRECT. IT IS STILL COMING UP ON MY
15 END. BUT --

16

17 **ALFREDO PEDROZA, CHAIR:** YES

18

19 **SPEAKER:** YOU'RE DESCRIBING IT CORRECTLY

20

21 **SPEAKER:** SLIDE 5, THE PROPOSAL TO EXPAND BAIFA AND CREATE
22 TOLLING COMMITTEE AND THEN YOU GET DOWN TO SOME OF THE
23 PREVIOUS EXAMPLES AND SLIDE 10 TALKED ABOUT ALTERNATIVE ONE
24 THAT HAS THE TWO COMMITTEES AND THEN ALTERNATIVE 2 WAS THE



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1 INDEPENDENT JPA'S. SO OUR PROPOSAL REALLY DOESN'T HAVE A
2 NUMBER ASSOCIATED WITH IT.

3

4 **SPEAKER:** IN THE SIMPLEST WAY -- THIS IS THERESE, THE SIMPLEST
5 WAY MAYBE IS THAT WE'RE RECEIVING DIRECTION TO PROCEED ON THE
6 STAFF'S RECOMMENDATION FOR A BAIFA RESTRUCTURING

7

8 **SPEAKER:**

9

10 **JAMES SPERING:** THAT WAS MY COMMENT THERESE, THANK YOU

11

12 **SPEAKER:** WHATEVER YOU HAVE, WHATEVER SLIDE.

13

14 **SPEAKER:** ME TOO.

15

16 **SPEAKER:** IT IS BASICALLY SLIDE 5. YEAH.

17

18 **SPEAKER:** SLIDE FIVE. THE PROPOSAL.

19

20 **SPEAKER:** GREAT

21

22 **ALFREDO PEDROZA, CHAIR:** THAT IS CONSISTENT. SO THANK YOU, AMY,
23 FOR CLARIFYING THAT. IT HAS BEEN A LONG DAY. SO I'M CERTAIN

24



November 17, 2021

1 **SPEAKER:** IT HAS BEEN A LONG DAY. IT HAS BEEN. IF I MAY ASK ONE
2 MORE CLARIFYING QUESTION, DO WE HAVE YOUR DIRECTION TO GO
3 AHEAD AND BRING THIS TO MTC AS THE NEXT STEP FOR CONSIDERATION

4

5 **SPEAKER:** MOVE FORWARD

6

7 **SPEAKER:** YES.

8

9 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. THIS WAS INFORMATIONAL ITEM
10 BUT -- PROVIDE GOOD DIRECTION

11

12 **SPEAKER:** IT COULD BE A HOLIDAY PRESENT FOR OUR CHAIR.

13

14 **ALFREDO PEDROZA, CHAIR:** OH --

15

16 **SPEAKER:** LET'S DO IT IN DECEMBER

17

18 **ALFREDO PEDROZA, CHAIR:** ALL RIGHT. I GO TO GO TO MY LOCAL
19 TRANSPORTATION MEETING AT 1:00. SO I'M HAPPY TO WRAP THIS
20 HERE. THIS WAS AN INFORMATIONAL ITEM, WE PROVIDED, WE HAD
21 PUBLIC COMMENTS, SO STAFF, I THINK WE'VE PROVIDED PLENTY OF
22 DIRECTION. SO THANK YOU TO THE COMMISSIONERS. AT THIS TIME,
23 WE'RE GOING TO MOVE ON TO ITEM 5, THIS IS PUBLIC COMMENT. I
24 WILL NOW ASK THE CLERK TO LIST ANY ITEMS WITH PUBLIC -
25 - ASSOCIATED WITH PUBLIC COMMENT AND -- ENTERED BY 5:00 P.M.



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1 INTO THE RECORD. AND ALSO IF THERE'S ANY MEMBER TO MAKE A
2 PUBLIC COMMENT. THIS IS YOUR TIME. RAISE YOUR HAND OR DO STAR
3 9

4

5 **KIMBERLY WARD, CLERK:** THANK YOU. I HAVE RECEIVED NOTHING IN
6 WRITING. AND I SEE NO MEMBER OF THE PUBLIC WITH THEIR HAND
7 RAISED

8

9 **ALFREDO PEDROZA, CHAIR:** PERFECT. THANK YOU ALL. AT THIS POINT
10 THERE'S NO FURTHER BUSINESS BEFORE THE COMMISSION AUTHORITY. I
11 WANT TO THANK ALL OF THE COMMISSIONERS FOR STAYING ON AND
12 STAFF. A GREAT PRESENTATION TODAY. AND TO THE PUBLIC THANK YOU
13 FOR PARTICIPATING. EVERYONE HAVE A HAPPY THANKSGIVING. AND
14 WE'LL SEE YOU IN DECEMBER. THANK YOU, EVERYONE.

15

16 **SPEAKER:** THANK YOU, MR. CHAIR FOR A GREAT MEETING.

17

18 **SPEAKER:** HAPPY THANKSGIVING.

19



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