



# METROPOLITAN TRANSPORTATION COMMISSION

## Meeting Transcript



JANUARY 14, 2022

**METROPOLITAN TRANSPORTATION COMMISSION**

**OPERATIONS COMMITTEE**

**FRIDAY, JANUARY 14, 2022 9:35 AM**

**CAROL DUTRA-VERNACI, CHAIR:** GOOD MORNING. WELCOME TO THE  
METROPOLITAN TRANSPORTATION COMMISSION OPERATIONS COMMITTEE  
I'M CHAIR CAROL DUTRA-VERNACI JOINED BY OUR VICE CHAIR DAMON  
CONNOLLY. MAY WE HAVE THE BROADCAST ANNOUNCEMENT, PLEASE.  
[RECORDED MEETING PROCEDURES ANNOUNCEMENT] DUE TO COVID-19,  
THIS MEETING WILL BE CONDUCTED AS A ZOOM WEBINAR PURSUANT TO  
THE PROVISIONS OF ASSEMBLY BILL 361 WHICH SUSPENDS CERTAIN  
REQUIREMENTS OF THE BROWN ACT. THIS MEETING IS BEING WEBCAST  
ON THE MTC WEBSITE. THE CHAIR WILL CALL UPON COMMISSIONERS,  
PRESENTERS, STAFF, AND OTHER SPEAKERS, BY NAME, AND ASK THAT  
THEY SPEAK CLEARLY AND STATE THEIR NAMES BEFORE GIVING  
COMMENTS OR REMARKS. PERSONS PARTICIPATING VIA WEBCAST AND  
ZOOM, WITH THEIR CAMERAS ENABLED, ARE REMINDED THAT THEIR  
ACTIVITIES ARE VISIBLE TO VIEWERS. COMMISSIONERS AND MEMBERS  
OF THE PUBLIC PARTICIPATION BY ZOOM, WISHING TO SPEAK, SHOULD  
USE THE RAISE HAND FEATURE OR DIAL STAR 9, AND THE CHAIR WILL  
CALL UPON THEM AT THE APPROPRIATE TIME. TELECONFERENCE  
ATTENDEES WILL BE CALLED UPON BY THE LAST FOUR DIGITS OF THEIR  
PHONE NUMBER. IT IS REQUESTED THAT PUBLIC SPEAKERS STATE THEIR



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

12

13 **CAROL DUTRA-VERNACI, CHAIR:** OKAY. NEXT UP IS OUR ROLL CALL.  
14 MARTHA MAY YOU PLEASE DO THAT?

15

16 **CLERK OF THE BOARD:** WILL DO. CHAIR DUTRA-VERNACI?

17

18 **CAROL DUTRA-VERNACI, CHAIR:** HERE.

19

20 **CLERK OF THE BOARD:** VICE CHAIR CONNOLLY?

21

22 **DAMON CONNOLLY, VICE CHAIR:** HERE.

23

24 **CLERK OF THE BOARD:** AHN?

25



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1 **EDDIE AHN:** HERE.

2

3 **CLERK OF THE BOARD:** CANEPA?

4

5 **DAVID CANEPA:** HERE.

6

7 **CLERK OF THE BOARD:** FLEMING?

8

9 **VICTORIA FLEMING:** PRESENT.

10

11 **CLERK OF THE BOARD:** GIOCAPINI NON-VOTING? LICCARDO? SCHAFF?  
12 SPERING?

13

14 **JAMES P. SPERING:** PRESENT.

15

16 **CLERK OF THE BOARD:** WE HAVE A QUORUM.

17

18 **CAROL DUTRA-VERNACI, CHAIR:** OKAY. THANK YOU VERY MUCH. ON TO  
19 THE PLEDGE OF ALLEGIANCE. NORMALLY I SKIP THAT, BUT, HEY, IT'S  
20 THE START OF A NEW YEAR. SO LET'S DO THE PLEDGE. CAN I ASK  
21 COMMISSIONER SPERING TO LEAD US, PLEASE?

22

23 **JAMES P. SPERING:** IT'S MY HONOR. PLEASE JOIN ME IN THE PLEDGE  
24 OF ALLEGIANCE. [ PLEDGE OF ALLEGIANCE ] "I PLEDGE ALLEGIANCE  
25 TO THE FLAG OF THE UNITED STATES OF AMERICA, AND TO THE



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1 REPUBLIC FOR WHICH IT STANDS, ONE NATION UNDER GOD,  
2 INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL."

3

4 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU VERY MUCH, COMMISSIONER  
5 SPERING FOR SETTING US OFF ON A GOOD TONE HERE. COMPENSATION  
6 ANNOUNCEMENT, PLEASE?

7

8 **CLERK OF THE BOARD:** AS AUTHORIZED BY STATE LAW I AM MAKING THE  
9 FOLLOWING ANNOUNCEMENT. EACH MEMBER OF THE BOARD HERE TODAY  
10 WILL BE ENTITLED TO RECEIVE \$100 PER MEETING ATTENDED UP TO A  
11 MAXIMUM OF \$500 PER MONTH PER AGENCY. THIS AMOUNT IS A  
12 PROVIDED AS A RESULT OF CONVENING A MEETING FOR WHICH EACH  
13 MEMBER IS ENTITLED TO COLLECT SUCH AMOUNT.

14

15 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU, MARTHA. AND FOR OUR  
16 CONSENT CALENDAR, DO I HAVE A MOTION AND SECOND FOR THE  
17 APPROVAL OF THE CONSENT CALENDAR?

18

19 **JAMES P. SPERING:** SPERING WILL MOVE APPROVAL.

20

21 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU. AND IS THERE A SECOND  
22 OUT THERE?

23

24 **DAMON CONNOLLY, VICE CHAIR:** SECOND.

25



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1 **CAROL DUTRA-VERNACI, CHAIR:** OKAY. MOTION BY COMMISSIONER  
2 SPERING. AND SECOND MADE BY COMMISSIONER CONNOLLY. MARTHA DO  
3 WE HAVE ANY COMMENTS THAT NEED TO BE READ INTO THE RECORD FOR  
4 THE CONSENT CALENDAR THIS MORNING?

5

6 **CLERK OF THE BOARD:** THERE WAS NO PUBLIC CORRESPONDENCE  
7 RECEIVED ON THIS ITEM AND THERE WERE NO MEMBERS OF THE PUBLIC  
8 WITH THEIR HAND RAISED.

9

10 **CAROL DUTRA-VERNACI, CHAIR:** I DID NOT SEE ANY. ROLL CALL VOTE?

11

12 **CLERK OF THE BOARD:** WILL DO. CHAIR DUTRA-VERNACI?

13

14 **CAROL DUTRA-VERNACI, CHAIR:** AYE.

15

16 **CLERK OF THE BOARD:** VICE CHAIR CONNOLLY?

17

18 **DAMON CONNOLLY, VICE CHAIR:** AYE.

19

20 **CLERK OF THE BOARD:** COMMISSIONER AHN?

21

22 **EDDIE AHN:** AYE.

23

24 **CLERK OF THE BOARD:** COMMISSIONER CANEPA?

25



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1    **DAVID CANEPA:** AYE.

2

3    **CLERK OF THE BOARD:** COMMISSIONER FLEMING?

4

5    **VICTORIA FLEMING:** YES.

6

7    **CLERK OF THE BOARD:** COMMISSIONER LICCARDO? COMMISSIONER

8    SCHAFF? COMMISSIONER SPERING?

9

10   **JAMES P. SPERING:** YES.

11

12   **CLERK OF THE BOARD:** PASSES UNANIMOUSLY BY ALL MEMBERS PRESENT.

13

14   **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU, MARTHA. ITEM 5A IS THE

15   FUTURE ROLLS AND STRUCTURE OF THE BAY AREA INFRASTRUCTURE

16   FINANCING AUTHORITY, BETTER KNOWN AS BAIFA. LISA KLEIN WILL BE

17   PRESENTING THIS MORNING.

18

19   **LISA KLEIN:** GOOD MORNING COMMISSIONERS LISA KLEIN WITH MTC.

20   THANK YOU FOR ALLOWING PRESENTATION OF THIS ITEM TODAY. YOU

21   MOST ARE FAMILIAR WITH THE BAY AREA INFRASTRUCTURE FINANCING

22   AUTHORITY. COMMISSIONER HAGGERTY SOMETIMES CALLS IT BAIFA, BUT

23   I CALL IT BAIFA. IS GOVERNS THE OPERATIONS EXPRESS LANES A BIG

24   CHUNK OF THE REGIONAL EXPRESS LANES BUT NOT ALL OF THE

25   REGION'S NETWORK. ADDITIONAL ROLES AS A REGIONAL TOWING AGENCY



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1 STATE ROUTE 37 SECONDLY AS A ROBUST REGIONAL TRANSPORTATION  
2 CONDUIT FINANCING AUTHORITY INITIALLY THAT WOULD BE FOR A LONG  
3 PLANNED FINANCING BART CAR REPLACEMENT BUT COULD POTENTIALLY  
4 BE FOR MUCH MORE FINANCING IN THE REGION. THIS IS A TOPIC WE  
5 ALL GRAPPLED BACK WITH IN EARLY 2020 RIGHT BEFORE THE PANDEMIC  
6 WE INTRODUCED BOTH OF THESE ROLES AT THE TIME AND ALL OF THESE  
7 ACTIVITIES PAUSED FOR THE PANDEMIC. WE BACK NOW SENATOR DODD  
8 AS MANY KNOW IS INTENDING TO RELEASE SOME LEGISLATION BILL FOR  
9 STATE ROUTE 37. YOU KNOW, JUST IN THE -- IMMINENTLY, AND BART  
10 -- THE BART CAR FINANCING ALSO WILL ANTICIPATE PROCEEDS THIS  
11 SUMMER. I HAVE A RECOMMENDATION TODAY THAT SHOWS HOW BEHAVE  
12 ACADEMY TAKE ON BOTH ROLES WITH SOME RESTRUCTURING IT'S A  
13 RECOMMENDATION THAT WAS SUPPORTED BY BAIFA ITSELF IN NOVEMBER  
14 WHEN WE PRESENTED TO THEM AND THIS MONTH I'M ASKING FOR MTC TO  
15 SUPPORT THE RECOMMENDATION IN CONCEPT. COULD I ASK THE TEAM,  
16 PLEASE, TO BRING UP THE PRESENTATION? OKAY. THANK YOU SO MUCH.  
17 PLEASE GO TO THE NEXT SLIDE. THANK YOU. YOU KNOW, THE STAFF  
18 RECOMMENDATION, TODAY, IS REALLY SHAPED BY THREE PRIMARY CALLS  
19 TO ACTION. FIRST, OF COURSE, YOU ARE ALL FAMILIAR WITH PLANNED  
20 BAY AREA 2050 AND ITS VERY AMBITIOUS INVESTMENT PROGRAM.  
21 FRANKLY THE PROGRAM IS GOING TO NEED TO PULL OUT ALL THE TOOLS  
22 WE HAVE FOR THIS FINANCING INVESTMENT AND THAT WOULD INCLUDE A  
23 REGIONAL CONDUIT FINANCING ENTITY. SECONDLY STATE ROUTE 37  
24 PROJECT IS ENTERING A TOLLING AND LANDSCAPE THAT'S EVEN MORE  
25 ACTIVE THAN I THINK WE ANTICIPATED A COUPLE OF YEARS AGO. WE





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1 HAVE GOT ALL ELECTRIC TOLLING AT BATA. WE HAVE GOT A FASTRAK  
2 EQUITY ACTION PLAN. THERE ARE MORE EXPRESS LANES IN OPERATION  
3 TODAY, AS WELL. AND, SO, WE THINK IT'S SO IMPORTANT, RATHER  
4 THAN ADDRESSING 37 AS A ONE-OFF, TO REALLY BRING IT INTO THIS  
5 BROADER CONTEXT AND REALLY TRY TO HONOR OUR SEAMLESS, THE  
6 COMMISSION'S GOALS TO A SEAMLESS EXPERIENCE. THE THIRD THING  
7 IS THAT THE PAST TWO YEARS HAVE REALLY UNDERSCORED THE COST OF  
8 ADMINISTRATIVE COMPLEXITY AND THE TRADEOFFS. THERE ARE REAL  
9 ADVANTAGES TO STREAMLINING THE BOARDS AND OUR COMMITTEES SO  
10 THAT YOU ALL, YOU KNOW, AS WELL AS STAFF, CAN REALLY SPEND OUR  
11 ENERGY ON ACHIEVING OUTCOMES RATHER THAN JUGGLING  
12 ADMINISTRATIVE MATTERS. NEXT SLIDE PLEASE. BEFORE I LAUNCH  
13 INTO THE RECOMMENDATIONS, LET ME JUST REVIEW SOME OF THE  
14 HISTORY OF BAIFA. BAIFA IS JOINT POWERS AUTHORITY BETWEEN MTC  
15 AND BATA CREATED IN 2006 TO FINANCE THE STATE'S CONTRIBUTION  
16 TO THE TOLL BRIDGE SEISMIC PROGRAM. THE STATE HAD FUNDING FOR  
17 ITS CONTRIBUTION BUT IT WASN'T AVAILABLE AT THE TIME THAT WE  
18 NEEDED TO MAKE THE INVESTMENT. AND SO, BAIFA ISSUED DEBT UP  
19 FRONT THEN IT WAS PAID BACK BY THE STATE'S REVENUE STREAM. AT  
20 THE TIME, IT WAS ENVISIONED THAT BAIFA COULD PERFORM A SIMILAR  
21 ROLE, CONDUIT FINANCING ROLE FOR OTHER TRANSPORTATION  
22 FINANCING BUT THAT ROLE WAS NOT REALLY ACTIVATED ON OTHER  
23 PROJECTS THEN YOU WILL SEE THE ORIGINAL MEMBERSHIP OF BEHAVE  
24 WAS A BASED ON THE SUBSET OF COMMISSION LEADERSHIP BASED ON  
25 THEIR ROLES FOR VARIOUS COMMITTEES. NEXT SLIDE PLEASE. IN



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1 2013, MTC AND BATA AMENDED THE JOINT POWERS AUTHORITY TO  
2 CREATE BAIFA AS IT LOOKS TODAY OR TO REVISE BAIFA AS IS IT  
3 LOOKS TODAY AND THAT WAS TO ADD RESPONSIBILITY TO THE DELIVERY  
4 AND OPERATION OF MTC EXPRESS LANES. LANES SHOWN HERE IN YELLOW  
5 THE PLAN'S AUTHORIZED NETWORK FOR MTC BAIFA, AND AT THAT TIME  
6 REVISE THE MEMBERSHIP OF THE BOARD TO REFLECT THE COUNTIES AND  
7 THESE WERE THE COUNTIES AND CORRIDORS THAT WILLINGLY JOINED  
8 MTC'S NETWORK. THEY DIDN'T HAVE SEPARATE AUTHORITY UNDER STATE  
9 LAW AND WILLINGLY JOINED, DECIDED TO JOIN MTC'S NETWORK. AND I  
10 THINK BAIFA HAS SERVED US WELL THUS FAR, GETTING THIS NETWORK  
11 STARTED, AND I THINK WE HAVE A GREAT OPPORTUNITY HERE TO  
12 LEVERAGE THAT WORK AND THAT EXPERIENCE AND RISE TO THE OTHER  
13 OPPORTUNITIES. NEXT SLIDE. THIS IS THE STAFF RECOMMENDATION.  
14 IT'S PRETTY SIMILAR IN A LOT OF RESPECTS TO THE IDEAS THAT  
15 STAFF WERE BEGINNING TO PRESENT IN 2020, BEFORE WE PAUSED,  
16 BEFORE EVERYTHING WENT ON PAUSE. IT'S A LITTLE BIT REFINED.  
17 THE CORE IDEA IS TO EXPAND THE BAIFA BOARD SO IT HAS THE  
18 MEMBERSHIP THAT'S IDENTICAL TO MTC. IT WOULD BE, SO THE FULL  
19 BOARD, THE 21-MEMBER BOARD WOULD BE THE PLACE THAT HANDLES ALL  
20 OF THE REGIONAL TRANSPORTATION CONDUIT FINANCING. IN ADDITION,  
21 WE'RE PROPOSE THAT BOARD CREATE A TOLLING COMMITTEE. AND THAT  
22 COMMITTEE WOULD DO THE HEAVY LIFTING BEFORE THE MTC EXPRESS  
23 LANES, THE BAIFA EXPRESS LANES, AND STATE ROUTE 37, MUCH IN  
24 THE WAY THE OPERATIONS COMMITTEE OR BAT BATA OVERSIGHT  
25 COMMITTEE PROVIDES OPERATIONS TODAY PROVIDES REVIEW AND



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1 RECOMMENDATIONS TO THE FULL BOARD ON TOPICS RELATED TO 37 AND  
2 THOSE EXPRESS LANES. I WILL SAY THE TOLLING COMMITTEE DOESN'T  
3 HAVE TO BE DETERMINED RIGHT NOW. IT IS A -- THE COMMITTEE  
4 COULD BE ESTABLISHED BY THE AUTHORITY, THE REVISED AUTHORITY,  
5 WHEN IT'S SETUP. BUT THIS RECOMMENDATION, AS IT IS SHOWN HERE,  
6 IS TO CONTINUE THE COMMISSIONERS FROM THE CURRENT MTC EXPRESS  
7 LANES COUNTIES ON BEHAVE TODAY AND ADD THE COMMISSIONERS FOR  
8 37 THIS IS A NICE LINE FROM THE WAY IT LOOKS TODAY WHILE  
9 BRINGING THE SUBJECT TO THE BROADER REGIONAL BODY. NEXT SLIDE  
10 PLEASE. THIS SLIDE IS TO SUMMARIZE HOW THE RECOMMENDATION  
11 ADDRESSES THOSE THREE ACTION CALLS TO ACTION THEY MENTIONED  
12 EARLIER FIRST OFF WITH THE FULL BOARD KNOWN AS MTC ALL THE  
13 COUNTIES ARE REPRESENTED AND THAT'S A REALLY STRONG FOUNDATION  
14 FOR REGIONAL CONDUIT FINANCING IN ANY OF THE COUNTIES. THE  
15 SECOND POINT IS THAT THE TOLLING COMMITTEE WOULD HAVE A STRONG  
16 SUBJECT AND GEOGRAPHIC KNOWLEDGE, AND AT THE SAME TIME  
17 RECOMMENDATIONS GO TO THE FULL BOARD THAT REFLECTS  
18 RELATIONSHIPS WITH BATA AND EXPRESS LANES AND THAT WAY IT  
19 SUPPORTS THE CONCEPT OF SEAMLESSNESS AND THIRDLY AND  
20 IMPORTANTLY THE RECOMMENDATION CREATES JUST ONE NEW COMMITTEE,  
21 WHICH IS, YOU KNOW, I THINK PRETTY GOOD GIVEN THE SCOPE OF  
22 WORK THAT WE'RE TALKING ABOUT TAKING ON. NEXT SLIDE. THIS  
23 REALLY ILLUSTRATES THE SEAMLESS CONCEPT. IT'S VERY COLORFUL  
24 ILLUSTRATES THE COMPLEXITY WITHHOLDING THE LANDSCAPE I'M NOT  
25 GOING TO GO INTO DETAIL HERE IT'S A LOT OF INFORMATION THE



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1 POINT OF THE SLOW, THE ROWS POLICY AREAS COLUMNS REPRESENT  
2 STATE ROUTE 37 AND BASE EXPRESS LANES. WE'RE WORKING TO ALIGN  
3 EVERYTHING UP WITH BATA, SHOWN IN THE BLUE, AND SOMETIMES  
4 WE'RE WORKING TO ALIGN THE BAIFA'S EXPRESS LANES WITH THE  
5 OTHER REGION'S EXPRESS LANES AND THAT'S SHOWN IN GREEN AND  
6 SOMETIMES WE'RE TRYING TO DO BOTH. SO WITHOUT GOING INTO  
7 DETAIL, THE POINT HERE IS THAT IT'S A MULTI-FACETED PICTURE,  
8 AND THE MORE THAT WE CAN, KIND OF, POSITION THIS, YOU KNOW,  
9 ONE BODY, HERE, TO REALLY BIG PICTURE, THE BETTER CHANCE WE  
10 HAVE OF MAKING THINGS SEAMLESS FOR THE CUSTOMER. NEXT SLIDE,  
11 PLEASE. YOU KNOW, I DO WANT TO SAY, THE BOTTOM LINE HERE IS  
12 THAT UNDER THE STAFF RECOMMENDATION ALL OF THE THREE PROGRAMS  
13 WE'RE TALKING ABOUT, THEY'RE ALL PROTECTED. YOU CANNOT --  
14 BASED ON STATUTORY PROVISIONS -- YOU KNOW, EXPRESS LANE  
15 REVENUE CANNOT BE USED FOR STATE ROUTE 37, IT CANNOT BE USED  
16 FOR FINANCING OTHER PROJECTS, YOU KNOW, REGIONAL TRANSIT  
17 FINANCING PROJECTS SUCH AS THE BART CARS. BY STATUTE THOSE  
18 REVENUES CAN ONLY BE USED FOR THE DEBT SERVICE FOR THE O&M  
19 EXPRESS LANE FACILITY AND EVEN FURTHER IS RESTRICTED TO THE  
20 CORRIDORS. THE FACILITY BEING THE EXPRESS LANES FACILITY.  
21 STATE ROUTE 37 LEGISLATION IS EXPECTED TO HAVE SIMILAR  
22 LANGUAGE PROTECTING REVENUE. AND, YOU KNOW, FINALLY, WE'RE  
23 TALKING ABOUT TRANSIT FINANCING. THAT FINANCING WOULD BE  
24 BACKED BY FTA FORMULA FUNDS COME TO THE REGION, AND THOSE  
25 FORMULA FUNDS COULD NOT BE USED, CANDIDATE BE USED FOR EXPRESS



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1 LANES OR STATE ROUTE 37. NEXT SLIDE, PLEASE. YOU KNOW,  
2 EARLIER, I MENTIONED THE LANES IN YELLOW HERE, BAIFA AND MTC  
3 EXPRESS LANES NETWORK WAS A WILLING COALITION BACK IN  
4 2011/2012, AND THAT WAS CORRIDORS AND COUNTIES THAT DIDN'T  
5 HAVE THEIR OWN AUTHORITY. THIS PROPOSAL DOESN'T CHANGE THAT.  
6 HOWEVER, I WILL SAY THAT IF A NEW CORRIDOR COMES ONLINE OR IF  
7 PARTNERS WERE INTERESTED IN JOINING THE BAIFA NETWORK, THIS  
8 STRUCTURE THAT WE'RE RECOMMENDING WOULD MAKE IT VERY EASY TO  
9 INCORPORATE, THEN, INTO THE COMMITTEE. NEXT SLIDE, PLEASE.  
10 NOW, YOU KNOW, I THINK THE STAFF RECOMMENDATION REALLY BEST  
11 RISES TO THE OCCASION, AND THE THREE CALLS TO ACTION I  
12 MENTIONED. BUT THERE ARE OTHER ALTERNATIVES, AND I'LL BRIEFLY  
13 MENTION TWO. THIS, ALTERNATIVE A, IS QUITE SIMILAR IN A SENSE  
14 THAT IT WOULD MAKE THE FULL BOARD T COTERMINOUS AS MTC  
15 SEPARATE COMMITTEES FOCUSED ON EXPRESS LANES ONE FOCUSED ON  
16 STATE ROUTE 37. FOCUSES ON EACH REACH DIVIDES THE CONVERSATION  
17 A LITTLE BIT MORE AND TAPS COMMISSIONERS AND ASKS TO DO TWICE  
18 AS MUCH TIME ON THE TWO COMMITTEES. NEXT SLIDE, PLEASE. THIS  
19 IS ANOTHER ALTERNATIVE WE LOOKED AT HONESTLY THIS IS THE LEAST  
20 PREFERRED ALTERNATIVE IT TAKES THE SEPARATION IDEA ABOUT AS  
21 FAR AS YOU COULD TAKE IT. IT ANTICIPATING CREATING THREE  
22 SEPARATE JOINT POWERS AUTHORITIES. YOU WOULD CONTINUE TO HAVE  
23 A JPA FOCUSED ON EXPRESS LANES, LIKE BAIFA TODAY, CREATE A NEW  
24 JPA FOR REGIONAL CONDUIT FINANCING THAT HAS MEMBERSHIP THE  
25 SAME AS THE MTC BOARD AND CREATE A THIRD JPA, REALLY FOCUSED



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1 ON 37, YOU KNOW? THIS IS RESOURCE INTENSIVE. AND IT IS,  
2 FRANKLY, VERY SILOED. NEXT SLIDE, PLEASE. THIS SLIDE -- I'M  
3 ALMOST DONE -- THIS IS MY SECOND TO LAST SLIDE. THIS SLIDE  
4 JUST SUMMARIZES WHAT I KIND OF ALREADY TALKED ABOUT. HONESTLY,  
5 ALL THREE OF THE ALTERNATIVES GET THE JOB DONE IN TERMS OF  
6 PROVIDING A BODY THAT CAN DO CONDUIT FINANCING. THEY ALL  
7 PROVIDE TOLLING AUTHORITIES FOR THE EXPRESS LANES AND FOR 37,  
8 AND ALL THREE PROTECT REVENUE, AS I MENTIONED. BUT, YOU KNOW,  
9 THE PROPOSAL SHOWN AT THE TOP, YOU KNOW, WITH ALL THE DOUBLE  
10 PLUSES THERE REALLY DISTINGUISHES ITSELF BY BEST FACILITATING  
11 A SEAMLESS DISCUSSION, AND BY ITS ADMINISTRATIVE SIMPLICITY,  
12 BOTH OF WHICH I THINK ARE VERY MUCH WHICH ARE TOP OF MIND  
13 THESE DAYS. NEXT SLIDE IS THE SCHEDULE WE ARE TRYING TO THREAD  
14 A NEEDLE HERE ON SCHEDULE. AS MENTIONED THIS MONTH WE'RE  
15 ASKING THE OPERATIONS COMMITTEE TO RECOMMEND TO MTC THAT MTC  
16 ENDORSE THE STAFF RECOMMENDATION TO RESTRUCTURE BAIFA TO TAKE  
17 ON THESE TWO NEW ROLES. THE ACTUAL RESTRUCTURING OF THE BOARD  
18 ITSELF REQUIRES SEPARATE ACTIONS BY BOTH MTC AND BATA TO AMEND  
19 THE JOINT POWERS AGREEMENT. THAT COULD BE DONE AS SOON AS  
20 MARCH. AND, THEN, FOLLOWING THAT, THE NEW JPA BOARD COULD  
21 SETUP THE TOLLING COMMITTEE, REALLY, ANY TIME AFTER THAT.  
22 THERE ARE REASONS TO MOVE QUICKLY TO AMEND THE JPA. ONE IS, IT  
23 WOULD GET IT DONE BEFORE THE BART CAR FINANCING. WHICH WE  
24 ANTICIPATE TO HAPPEN IN THE SPRING SO BART CAN HAVE ACCESS TO  
25 THOSE PROCEEDS IN THE SUMMER. AND THE IS OTHER PIECE OF BIG



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1 BUSINESS IS BAIFA -- STAFF WILL ASK BAIFA TO AMEND THE  
2 EXISTING EXPRESS LANES TOLL ORDINANCE, BAIFA'S EXPRESS LANES  
3 TOLL ORDINANCE FOR TWO THINGS. ONE IS TO AUTHORIZE THE MEANS  
4 BASED PILOT DISCOUNT PROJECT ON 880, AND THE SECOND IT WOULD  
5 BE TO ADJUST OR REDUCE THE VIOLATION PENALTIES. YOU KNOW,  
6 HONESTLY RESTRUCTURING COULD BE DONE BEFORE OR AFTER THAT TOLL  
7 ORDINANCE AMENDMENT, BUT IT IS THE MULTI-MONTH PROCESS. AND WE  
8 DON'T WANT TO DO IT IN THE MIDDLE OF THAT AMENDMENT. IT TAKES  
9 ABOUT FOUR MONTHS TO GET THE WHOLE THING DONE. SO WE LIKE TO  
10 RESTRUCTURE, PERHAPS, BEFORE OR AFTER, BUT NOT DURING. AND  
11 THEN, YOU KNOW, THE FALL IS THE DEADLINE FOR THE GOVERNOR'S  
12 SIGNATURE ON ANY NEW LEGISLATION THAT ACTION WOULD ALLOW BAIFA  
13 TO START WORKING IN THE CAPACITY AS A TOLLING ENTITY FOR STATE  
14 ROUTE 37. THAT CONCLUDES MY PRESENTATION. HAPPY TO ANSWER ANY  
15 QUESTIONS.

16

17 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU. I APPRECIATE THE STAFF  
18 REPORTS. LET'S START WITH COMMISSIONER SPERING FOR YOUR  
19 THOUGHTS.

20

21 **JAMES P. SPERING:** THANK YOU, MADAM CHAIR. I REALLY APPRECIATE  
22 THIS ITEM COMING FORWARD AND I BELIEVE WE NEED TO MAKE A  
23 CHANGE AS WE HAVE BEEN WORKING ON BOTH EXPRESS LANES AND STATE  
24 ROUTE 37, THERE ARE A COUPLE OF THINGS MISSING. ONE IS WE  
25 DON'T HAVE STRONG ADVOCACY FOR THIS AND BY MAKING THIS



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1 COTERMINOUS MOVE WITH MTC IT STRENGTHENS OUR VOICE IN  
2 SACRAMENTO WITH ANY FUNDING AND 37 AND EXPRESS LANES IT PUTS A  
3 BETTER FOCUS ON IT. THESE ARE REGIONAL PROJECTS AND REGIONAL  
4 ISSUES THAT WE'RE DEALING WITH. IF WE CAN GET THE  
5 INSTITUTIONAL ORGANIZATION BEHIND THESE SORTS OF PROJECTS IT,  
6 SORT OF, LENDS ITSELF TO US BEING A LOT MORE SUCCESSFUL. AND  
7 AS SOMEONE THAT HAS BEEN WORKING ON THE 37, IT'S FRAGMENTED  
8 AND THIS MOVE WILL HELP SOLIDIFY THE SUPPORT, THE DIRECTION  
9 WE'RE GOING, AND HOW IT NEEDS TO BE DELIVERED. SO I'M VERY  
10 SUPPORTIVE OF THIS CHANGE. AND, THANK YOU FOR THE  
11 PRESENTATION.

12

13 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU FOR THOSE COMMENTS,  
14 COMMISSIONER. LET'S GO TO OUR VICE CHAIR NICK JOSEFOWITZ, OF  
15 MTC, THAT IS.

16

17 **NICK JOSEFOWITZ:** THANK YOU. WHEN THIS ITEM CAME UP LAST TIME,  
18 I WAS A LITTLE FRUSTRATED THAT SAN FRANCISCO HADN'T BEEN  
19 CONSULTED, AND I JUST WANT TO THANK STAFF FOR SPENDING SOME  
20 TIME WITH ME, AND KIND OF THE SAN FRANCISCO, SORT OF -- SAN  
21 FRANCISCO STAKEHOLDERS ON THIS GOVERNANCE CHANGE AND IT SEEMS  
22 LIKE IT'S ABSOLUTELY THE RIGHT WAY FORWARD, AND FOR ALL THE  
23 REASONS THAT COMMISSIONER SPERING LAID OUT. AND I HOPE THIS IS  
24 ALSO -- IT WAS ALSO DISCUSSED IN THE PRESENTATION ANOTHER STEP  
25 WE CAN TAKE FOR THE REGIONAL EXPRESS LANES NETWORK AND THAT WE





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1 ARE, SORT OF, MOVING AWAY FROM EVERYBODY HAVING THEIR OWN  
2 EXPRESS LANES NETWORK AND I KNOW SAN FRANCISCO IS JUST AS  
3 CULPABLE AS SOME OF THE OTHER COUNTIES. I'M VERY SUPPORTIVE OF  
4 STAFF GOING THE EXTRA MILE TO SAN FRANCISCO. THANK YOU.

5

6 **CAROL DUTRA-VERNACI, CHAIR:** COMMISSIONER WORTH, YOUR THOUGHTS?

7

8 **AMY R. WORTH:** THANK YOU, MADAM CHAIR. I JUST WANTED TO WEIGH  
9 IN TOO, AND AFFIRM, AND SUPPORT THE STAFF RECOMMENDATION AS WE  
10 MOVE FORWARD. WORKING WITH EXPRESS LANES, I THINK WE HAVE MADE  
11 A LOT OF GREAT INITIATIVES, AND IN MOVING THIS NETWORK  
12 FORWARD. AND THIS IS A REALLY IMPORTANT STEP TO BE ABLE TO  
13 UTILIZE BAIFA FOR SOME OF THESE -- AS COMMISSIONER SPERING, I  
14 THINK, INDICATED, THE, SORT OF, WORKING FORWARD IN THESE OTHER  
15 CORRIDORS. AND IT DOES PROVIDE THE VOICE FOR THE COUNTIES THAT  
16 HAVE THE CORRIDORS CURRENTLY, AS WELL AS BRINGING THE WHOLE,  
17 YOU KNOW, THE EXPRESS LANE, YOU KNOW, OPERATIONS, AS WELL AS  
18 THE FINANCE OPPORTUNITIES TO THE ENTIRE BAY AREA TOLL  
19 AUTHORITY. SO WE WHOLEHEARTEDLY RECOMMEND, SUPPORT THESE  
20 RECOMMENDATIONS. AND I REALLY WANT TO THANK STAFF FOR A LOT OF  
21 REAL THOUGHTFUL ANALYSIS THAT WENT INTO HOW BEST TO UTILIZE  
22 THE RESOURCES THAT WE HAVE, BOTH IN TERMS OF STAFF AND  
23 COMMISSIONERS, AND THE STRUCTURE, AND THE TIME, AND WORKING  
24 CLOSELY WITH THE, YOU KNOW, THE COUNTIES THAT ARE HOSTING  
25 THESE, THE NETWORKS. I WANT TO THANK STAFF AGAIN. I'M VERY



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1 SUPPORTIVE, AS STAFF INDICATED, WHEN WE MET AND DISCUSSED THIS  
2 AT BAIFA, BAIFA ALSO INDICATED THEIR SUPPORT IN TERMS OF THIS  
3 EVOLUTION OF HOW WE STRUCTURE THIS ENTERPRISE. SO, THANK YOU.

4

5 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU, COMMISSIONER WORTH.  
6 COMMISSIONER FLEMING, YOUR THOUGHTS, PLEASE?

7

8 **VICTORIA FLEMING:** YES, THANK YOU, CHAIR. EVERYTHING I WOULD  
9 LIKE TO SAY HAS ALREADY BEEN SAID, SO I'M RAISING MY HAND AND  
10 SPEAKING UP JUST TO THANK STAFF AND SHARE SONOMA COUNTY'S  
11 ENTHUSIASTIC SUPPORT AND GRATITUDE FOR THE STAFF  
12 RECOMMENDATION. WE ARE FULLY ON BOARD AND LOOK FORWARD TO THE  
13 CHANGE IF IT'S THE WILL OF THE COMMISSION.

14

15 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU SO MUCH COMMISSIONER  
16 FLEMING. MTC CHAIR PEDROZA, YOUR THOUGHTS, PLEASE?

17

18 **ALFREDO PEDROZA:** I CONCUR WITH THE COMMENTS SHARED BY  
19 COMMISSIONERS. THE BENEFIT FOR THE USERS THOSE THAT ARE USING  
20 THE SYSTEMS, WHEN WE HAVE ONE COMMITTEE, ONE ORGANIZATION  
21 THERE, IS JUST SO MUCH BENEFITS WHEN WE'RE TRYING TO TALK  
22 ABOUT THE CONSENSUS FOR THE USER AND THIS IS A PIVOT MOMENT  
23 WE'RE HEADING TOWARDS THAT SPACE. TALKING ABOUT DIFFERENT  
24 EQUITY PROGRAMS AND WE HAVE ONE ORGANIZATION, ONE COMMITTEE  
25 THAT CAN LOOK ADD IT COLLECTIVELY, THERE IS A LOT OF VALUE IN



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1 THAT. AGAIN, SUPPORT THIS FOR ALL THE RIGHT REASONS. THANK  
2 YOU.

3

4 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU, CHAIR PEDROZA. AND  
5 COMMITTEE VICE CHAIR CONNOLLY, YOUR THOUGHTS, PLEASE?

6

7 **DAMON CONNOLLY, VICE CHAIR:** SIMPLY FURTHER CONCURRENCE. THANK  
8 YOU TO STAFF. AS A MEMBER OF THE NORTH BAY DELEGATION, WE WILL  
9 BE SUPPORTING THIS, AS WELL.

10

11 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU. DON'T SEE ANY  
12 COMMISSIONERS WITH HANDS UP. SO, MY COMMENTS WOULD BE THAT I  
13 WAS IN FAVOR, AS A MEMBER OF BAIFA, AS WELL AS READING THE  
14 STAFF REPORT, BECAUSE THE SEAMLESSNESS AND STREAMLINING IS SO  
15 IMPORTANT. ANYTHING WE CAN DO TO LIMIT BUREAUCRACY AND  
16 INCREASING EFFICIENCY IS JUST SO IMPORTANT. THAT BEING SAID,  
17 MARTHA DO WE HAVE ANY PUBLIC COMMENTS THAT NEED TO BE READ  
18 INTO THE RECORD BEFORE I GO TO THE PUBLIC?

19

20 **CLERK OF THE BOARD:** THERE WAS NO WRITTEN CORRESPONDENCE  
21 RECEIVED ON THIS ITEM.

22

23 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU. AND I DO SEE ONE  
24 ATTENDEE. RICH HEDGES, YOU'RE UP, PLEASE.

25



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1 **RICHARD HEDGES:** THANK YOU FOR LETTING ME SPEAK. I JUST WANTED  
2 TO SAY, I WANT TO TAKE PART IN THIS KUMBAYA MOMENT EVERYBODY  
3 SEEMS TO BE QUITE HAPPY WITH IT. STAFF DID A GOOD JOB.

4

5 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU, RICH. DON'T SEE ANY  
6 OTHER ATTENDEES WITH HANDS UP. WE'RE GOING BRING IT BACK FOR A  
7 MOTION. THE MOTION FOR THE STAFF RECOMMENDATION INCLUDES THE  
8 NEW STRUCTURING AS WELL AS THE TOLLING COMMITTEE AS PROFESSION  
9 PROPOSED AND IF THAT WASN'T THE DISSENSION -- INTENTION PLEASE  
10 MAKE THAT CLEAR.

11

12 **JAMES P. SPERING:** MADAM CHAIR, THAT WAS THE COTERMINOUS  
13 APPROACH?

14

15 **CAROL DUTRA-VERNACI, CHAIR:** YES.

16

17 **JAMES P. SPERING:** I MAKE THE MOTION.

18

19 **DAMON CONNOLLY, VICE CHAIR:** SECOND.

20

21 **CAROL DUTRA-VERNACI, CHAIR:** MOTION BY SPERING, SECOND BY  
22 CONNOLLY. MARTHA, ROLL CALL, PLEASE?

23

24 **CLERK OF THE BOARD:** AHN IN.

25



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1 **EDDIE AHN:** AYE.

2

3 **CLERK OF THE BOARD:** CANEPA? FLEMING?

4

5 **VICTORIA FLEMING:** YES.

6

7 **CLERK OF THE BOARD:** COMMISSIONER LICCARDO? COMMISSIONER

8 SCHAFF?

9

10 **LIBBY SCHAAF:** AYE.

11

12 **CLERK OF THE BOARD:** COMMISSIONER SPERING?

13

14 **JAMES P. SPERING:** YES.

15

16 **CLERK OF THE BOARD:** COMMISSIONER CANEPA?

17

18 **DAVID CANEPA:** YES.

19

20 **CLERK OF THE BOARD:** IT PASSES UNANIMOUSLY BY ALL MEMBERS

21 PRESENT.

22

23 **CAROL DUTRA-VERNACI, CHAIR:** THANK YOU, EVERYBODY. LOOKING

24 FORWARD TO THIS. NEXT UP IS OUR PUBLIC COMMENT FOR ANYTHING

25 THAT IS NOT ON THE AGENDA. AND, MARTHA, DO WE HAVE ANY NAMES



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1 OR ORGANIZATIONS OF THE PUBLIC COMMENT RECEIVED AFTER 5:00  
2 YESTERDAY?

3

4 **CLERK OF THE BOARD:** BY 5:00. THERE WAS NO PUBLIC COMMENT  
5 CORRESPONDENCE RECEIVED ON THIS ITEM, AND THERE ARE NO MEMBERS  
6 OF THE PUBLIC WITH THEIR HANDS RAISED. THANK YOU.

7

8 **CAROL DUTRA-VERNACI, CHAIR:** OKAY GOOD. I THINK WE'RE ON TO OUR  
9 ADJOURNMENT. SO THE NEXT MEETING OF OUR OPERATIONS COMMITTEE  
10 WILL BE FRIDAY FEBRUARY 11TH AT 9:35 A.M. REMOTELY AND BY  
11 WEBCAST AS APPROPRIATE. IF THERE ARE ANY CHANGES THE PUBLIC  
12 WILL BE DULY NOTED. WE ARE ADJOURNED. [ADJOURNED]

13



*Broadcasting Government*