

**Metropolitan Transportation Commission
Policy Advisory Council**

October 14, 2020

Agenda Item 9

Staff Liaison Report – October 2020

Subject: Relevant MTC policy decisions and other activities.

Recommendation: Information

Attachments: Attachment A: Staff Liaison Report – October 2020



METROPOLITAN
TRANSPORTATION
COMMISSION

**Agenda Item 9
Attachment A**
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Memorandum

TO: Policy Advisory Council
FR: Marti Paschal, Staff Liaison
RE: Staff Liaison Report – October 2020

DATE: October 14, 2020
W.I. 1114

I-880 Express Lanes Opened for Business October 2

The Interstate 880 Express Lanes in Alameda County began operations at 5 a.m. on Friday, October 2, at which time the Santa Clara Valley Transportation Authority (VTA), adjusted the tolling rules for its existing State Route 237 Express Lanes to match those for the I-880 Express Lanes. These rules include:

- All vehicles must have a FasTrak[®] toll tag to use the Express Lanes;
- Three-person carpools, buses, vanpools and motorcycles travel toll-free with a FasTrak Flex toll tag set to the 3+ position;
- Two-person carpools with a FasTrak Flex toll tag set to the 2+ position pay half-price tolls;
- Solo drivers of eligible clean-air vehicles (CAVs) and two-person carpools in clean-air vehicles pay half-price tolls with a FasTrak CAV toll tag. Eligible CAVs are those with red, purple or orange decals; and
- Other solo drivers pay the full toll to use the Express Lanes with either a standard FasTrak toll tag or a FasTrak Flex tag set to the 1 position.

Operating hours for Express Lanes are weekdays from 5 a.m. to 8 p.m. Tolls rise as traffic increases and decline as traffic falls. Signs over the roadway indicate toll rates for various destinations. Customers always pay the toll displayed when they enter the Express Lane, even if toll rates change during their trip. Toll-paying customers pay for each toll zone they enter. There are six toll zones along southbound I-880 from Hegenberger Road in Oakland to Dixon Landing Road near the Fremont/Milpitas border and five toll zones along northbound I-880 from Dixon Landing Road to Lewelling Boulevard in San Lorenzo.

Travelers can visit 511.org([link is external](#)) to learn everything they need to know to use the I-880 and State Route 237 Express Lanes, as well as to view a series of easy-to-watch [videos](#)([link is external](#)) explaining all aspects of the I-880 Express Lanes.

Got a Bridge Toll Notice? FasTrak Makes One-Time Payment Simple

With cash toll collection at the Bay Area's seven state-owned toll bridges suspended since March due to the COVID-19 pandemic, MTC and the Bay Area Toll Authority (BATA) invite drivers who have received a toll notice to use the [toll payment page](#)([link is external](#)) on the Bay Area FasTrak[®] website. Toll bridge patrons need only enter the number on the toll notice and their license plate information to pay for crossings of the Antioch, Benicia-Martinez, Carquinez, Dumbarton, Richmond-San Rafael, San Francisco-Oakland Bay or San Mateo-Hayward bridges. The same option is available to drivers who cross the Golden Gate Bridge, which adopted all-electronic tolling in 2013.

More than 70 percent of all customers at the seven state-owned toll bridges already use a FasTrak toll tag or license plate account to pay their tolls electronically. These patrons have experienced no change in toll collection procedures or any difference in their statements. Customers who ordinarily would stop at a toll booth to pay cash now continue through the toll plaza without stopping. Automated, high-speed cameras capture images of customers' license plates. The FasTrak customer service center processes these images and then mails a toll notice to the address at which the vehicle is registered with the DMV. While initial notices include a heading that reads "Notice of Toll Evasion," these transactions are not considered toll evasion violations and the amount due on each notice is for the toll amount only.

Drivers who have more than one unpaid bridge crossing and have received multiple notices can enter just a single notice number to review all unpaid crossings and to settle their unpaid tolls.

BATA and Caltrans encourage toll bridge customers who do not already have FasTrak accounts to open accounts online at www.bayareafastrak.org([link is external](#)) or by phone at 1-877-229-8655 (BAY-TOLL). A map of Costco and Walgreens retail locations at which FasTrak toll tags are available may be found at www.bayareafastrak.org/en/howitworks/retailmap.html([link is external](#)). Caltrans and BATA will monitor toll bridge operations and heed ongoing public health guidance before making any decisions about resuming cash toll collection at Bay Area toll bridges.

Kathleen Kane Named to Lead MTC-ABAG Legal Team

On September 23, MTC announced the hiring of Kathleen Kane as General Counsel. Ms. Kane, who currently serves as City Attorney for Burlingame and previously served as City Attorney for East Palo Alto, will take over from Adrienne Weil, who is retiring after a decade of service. Ms. Kane will additionally act as legal counsel for the Association of Bay Area Governments (ABAG) under the contract.

"I look forward to interesting work with an accomplished organization as General Counsel," Ms. Kane said. "Adrienne Weil's retirement leaves some big shoes to fill and I appreciate the Commission's confidence in my ability to meet the challenge."

Ms. Kane is an accomplished attorney with two decades of private and public sector experience in land use and development issues, risk management, government contracting, public finance and litigation. She started her legal career in 1999 as a clerk for Judge Fortunato Benevides of the U.S. Court of Appeals for the Fifth Circuit before taking a position as an appellate litigator for the civil division of the U.S. Department of Justice in Washington, D.C. Ms. Kane next served as General Counsel representing foster children in North Carolina's Administrative Office of the Courts. Ms. Kane then returned to the Bay Area, working for five years as an attorney with Aaronson, Dickerson, Cohn & Lanzone in San Carlos, during which time she also served as deputy counsel for several San Mateo County jurisdictions, then as interim City Attorney for Belmont before moving on to manage the City Attorney's office in East Palo Alto.

"Kathleen's background as a litigator and her experience in local government is especially well-suited to the complicated and longstanding issues MTC and ABAG work on," noted MTC Chair and Alameda County Supervisor Scott Haggerty. "Congestion, mobility, and housing supply and affordability are all major challenges facing Bay Area residents. For MTC and ABAG to effectively tackle these problems, we have to collaborate effectively with federal and state officials, with dozens of public transit providers, nine counties and 101 cities plus many other county and regional agencies."

Napa County Supervisor and MTC Vice Chair Alfredo Pedroza made a similar point. “Throughout the selection process, Ms. Kane demonstrated a keen understanding of the myriad issues around land-use and development that can help align MTC’s and ABAG’s strategic regional goals with the unique needs of each county, city or town.”

Ms. Kane holds a B.A. from Stanford University and a J.D. from the Stanford School of Law. The San Bruno resident is a member of the State Bar of California, the Bar Association of San Francisco, the San Mateo County Bar Association and bar associations for multiple federal courts.

Have a Question? Ask a Librarian

If you need assistance locating information or are having difficulty navigating the MTC-ABAG websites, please feel free to contact the MTC-ABAG head librarian, Julie Tunnell. Reference assistance is available by telephone (415-778-5236), or email library@bayareametro.gov. Information can also be found on the MTC-ABAG library webpage: <https://mtc.ca.gov/tools-resources/mtc-abag-library-information-asking>

Executive Director’s Report

The following items are excerpts from the September 2020 Executive Director’s Report to the Commission. To read the report in its entirety go to:

<http://www.mtc.ca.gov/whats-happening/news/executive-directors-report>.

Key Updates

Plan Bay Area: Public Comments Available Online

Comments on the Draft Blueprint closed in August, and all the feedback we received from digital workshops, telephone town halls, a tribal summit, a statistically valid poll, emailed or written correspondence is now easily accessible on the Plan Bay Area website.

Check it out on the link below. The feedback can be found under "Your Comments."

<https://www.planbayarea.org/your-comments/plan-bay-area-2050>

We look forward to more public engagement opportunities in 2021.

Riding Together: Healthy Transit Plan and Dashboard

As recommended direction from the Blue Ribbon Transit Recovery Task Force, MTC staff will present a monthly report to the Commission on common data metrics developed by the Bay Area’s public transit operators based on their [Riding Together: Bay Area Healthy Transit Plan](#) that was released in August. The transit agencies developed a common set of health and safety commitments, grounded in health directives from the California Department of Public Health, U.S. Centers for Disease Control and Prevention, County health officials, and international best practices.

Federal Highway Administration Certification Report

Earlier this month, we received our federal certification report from FHWA and FTA, which certifies MTC’s planning process every 4 years. Along with several commendations on the exemplary work MTC is doing in transit asset management, FHWA and FTA issued one corrective action: to improve administration of its Surface Transportation Block Grant Program and Congestion Mitigation and Air Quality Improvement (CMAQ) program – also known as our One Bay Area Grant, or OBAG, program.

Specifically, the concern is about our use of a formula for the distribution of Surface Transportation Program (STP) funds via the OBAG county program. FHWA's position is that sub-allocation is not allowed by federal regulation and that MTC may not be exercising an appropriate degree of project selection authority over STP/CMAQ funded projects within the OBAG program. Going forward, we will need to examine how these funds are programmed to address the concerns and comply with the corrective action, prior to adoption of the 2023 Transportation Improvement Program (TIP) in 2022. We must clearly demonstrate (in both our documentation and communications) that our OBAG 3 program is in full compliance with all applicable federal regulations.

ATP Quick Build Pilot Program

The California Transportation Commission (CTC) released recommendations last week for the quick-build pilot program within the Active Transportation Program (ATP). CTC staff recommends funding \$4.4 million for eight projects around the state. The Bay Area was recommended to receive 50% of the funds, with \$2.2 million going to four projects in the cities of Berkeley, Richmond, San Carlos, and San Jose.

The quick-build pilot is an exciting new program that provides funding for cities to test and implement relatively inexpensive safety measures that address active transportation needs quickly, before committing to more expensive solutions. Bay Area cities have established themselves as leaders for quick build projects, with proven prior successes in San Jose, San Francisco, and Oakland. MTC staff will continue to work with the CTC to evaluate the pilot program and to include quick-build funding in future ATP cycles permanently.

The CTC will consider the recommendations for adoption at the October 21-22, 2020 meeting.