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Chair of MTC and BATA

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STEVE HEMINGER
Executive Director

ANN FLEMER
Deputy Executive Director, Policy

ANDREW B. FREMIER
Deputy Executive Director, Operations

BAY AREA INFRASTRUCTURE FINANCING AUTHORITY MEETING
(BAIFA)

May 22, 2013
MINUTES

Attendance

Authority Chair Worth called the meeting to order at approximately 10:24 a.m. Authority members present were: Vice Chair Dodd and Commissioners Haggerty, Sartipi and Spering. Other MTC Commissioners present were: Commissioners Aguirre, Bates, Campos, Cortese, Giacomini, Halsted, Kinsey, Liccardo, Luce, Mackenzie, Pirzynski, Quan, Tissier and Wiener.

Item 2: Consent Calendar:

Upon the motion of Commissioner Dodd and second by Commissioner Spering, the following items on the Consent Calendar were approved unanimously:

- **Item 2a: Minutes**
The Authority received and approved as written the meeting minutes of April 24, 2013.
- **Item 2b: BAIFA Resolution No. 5 – Authorization to Request Regional Measure 2 Funds for Bay Area Express Lane Network**
The Authority approved Resolution No. 5 which authorizes staff to submit an Initial Project Report (IPR) to MTC to request an allocation of \$4.8 million of Regional Measure 2 (RM2) funds for environmental and other studies for conversion of the I-80 HOV lanes in Alameda and Contra Costa counties to Express Lanes.

Item 3: Concept of Operations for BAIFA Express Lane Program

Pierce Gould, MTC Operations, presented information for Authority approval key operating features of BAIFA's 270-mile Express Lane Program. Mr. Gould advised that these features are detailed in a Concept of Operations document which is an important precursor for the system integrator procurement, which staff plans to release Fall 2013. He advised that the Concept of Operations informs the civil design of the facility, such as lane configuration and CHP observation zones, and serves as the basis for developing the technical requirements that are used to design, develop and deliver the toll system.

Commissioner Spering requested clarification regarding car pool and holiday fees and asked for a fiscal analysis to capture off-hour revenue. Lisa Klein, MTC Operations, explained that currently, state law requires that Express Lanes and HOV Lane hours match but that BAIFA would take this issue into consideration.

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Commissioner Kinsey requested further information regarding the open access concept and asked if there were any assurances that we will be able to use it. Additionally, he asked if the consequences of weaving out at the end of the zone during dynamic price periods could be defined. Ms. Klein explained that existing open access configurations in California and around the country were being observed and that Caltrans has been very supportive of the open access concept. She advised that BAIFA is currently well positioned to receive approval for open access lanes. Ms. Klein added however, that there will be locations on some of the lanes where restrictions will be introduced. These restricted areas, which will be identified through traffic operations analysis will provide motorists to weave.

Commissioner Giocopini asked if there were any restrictions for changing lanes. Ms. Klein responded that solid double-stripe markings are always restrictions for changing lanes and noted they are illegal to cross when Limited Access Lanes are open for all to use.

Authority member Spering asked what the consequence would be for inadvertently switching from a car pool indication to a single passenger on a transponder when a driver is already in the express lane. Mr. Gould responded that the system would register that the indicator was switched and would record the driver as a single driver and charge the account the appropriate toll.

Commissioner Bates asked the locations of where Open Access systems were currently in place and in operation. Mr. Gould responded that the Open Access concept is in operation in Minneapolis and the use of a switchable toll tag was introduced in California on the Los Angeles Express Lanes.

In regards to violating the occupancy requirement, Commissioner Bates commented on the hazards of being pulled over by CHP and asked if there were other options in place. Mr. Gould responded that there was no current technology available to replace a visual check and stop procedure.

Upon the motion of Authority members Spering and second by Haggerty, the Authority unanimously approved the key operating features for the BAIFA Express Lane Program.

Item 4: BAIFA Resolution No. 6 – BAIFA Operating Budget FY 2013-14

Brian Mayhew, MTC Chief Financial Officer, presented the BAIFA FY 2013-14 Operating Budget for approval. He explained that the budget relates to the original purpose for the creation of BAIFA which assists in the financing of the Toll Bridge Seismic Retrofit Program and consists of funds transferred from the California Transportation Commission (CTC) to BATA for payment on the State Payment Acceleration Notes (SPANS). He explained that in December 2006, BAIFA issued \$972.3 million in SPANS. The SPANS were issued as a means to capitalize the final \$1.3 billion State of California contribution to the \$8.6 billion seismic retrofit program and Mr. Mayhew advised that the \$1.3 billion is paid to BATA on an annual schedule approved by the CTC. The transferred funds along with funds held by the trustee will be applied to the final \$325 million in outstanding SPANS and once the funds are posted, BAIFA's obligation to the 2006 issuance will be fully retired.

Upon the motion of Authority member Haggerty and second by Authority member Spring, the Authority unanimously approved BAIFA Resolution No. 6 authorizing the BAIFA Operating Budget for FY 2013-14.

Item 5: Future BAIFA Agenda Items on Express Lanes Program

Ms. Klein explained that this informational overview includes items that staff anticipates bringing to BAIFA through the end of the year to support the opening of the first of BAIFA's initial 90 miles of BAIFA's Express Lanes in 2015. Future topics are related to procurement of the toll system integrator and contracts to proceed with the development and design through the Caltrans process.

Authority member Spring asked for further information regarding public outreach efforts. Ms. Klein explained that staff coordinates regularly regarding messaging with the Congestion Management Agencies (CMAs), as well as with the operators of the existing express lanes. Additionally, public information is being approached on several levels: general information, target outreach to stakeholders, conducting environmental document public meetings, and then expanding public education once switchable toll tags are available.

Chair Worth expressed her appreciation for the work and effort being conducted on Express Lanes. Chair Worth noted Authority member interest in several topics including wanting more detail on enforcement, weekend tolling, experiences in other metro areas around the country.

Item 6: Public Comment/Other Business/Adjournment/Next Meeting.

Authority member Haggerty requested that the April 24, 2013 BAIFA meeting minutes be corrected to reflect him as a member of the Authority.

Commissioner Bates requested that BAIFA move aggressively to introduce legislation to amend the current state law that requires that Express Lanes and HOV Lane hours match.

There being no further business or public comment, the meeting was adjourned at approximately 11:04 a.m. The next Authority meeting date will be on July 24, 2013 at 9:40 a.m. in the Lawrence D. Dahms Auditorium, 101 Eighth Street, Oakland, CA.