



I-680 Sunol Smart Carpool Lane JPA (I-680 JPA) Meeting Agenda Monday, February 13, 2023, 9:00 AM

Pursuant to AB 361 and the resolution adopted by the Commission governing its meetings and the meetings of its Committees in light of the current statewide State of Emergency, the Commission and its Committees will meet via teleconference on a fully remote or hybrid in-person / remote basis, and will not provide a physical location for members of the public to participate in the teleconference meeting. The purpose of holding Commission and Committee meetings as described above is to provide the safest environment for Commissioners and Committee members, Alameda CTC staff, and the public, while allowing for robust public participation pursuant to Government Code Section 54953(e)(2).

Members of the public wishing to submit a public comment may do so by emailing the Clerk of the Commission at clerk@alamedactc.org. Public comments received by 5:00 p.m. the day before the scheduled meeting will be distributed to Commissioners or Committee members before the meeting and posted on Alameda CTC's website; comments submitted after that time will be distributed to Commissioners or Committee members and posted as soon as possible. Submitted comments will be read aloud to the Commission or Committee and those listening telephonically or electronically; if the comments are more than three minutes in length the comments will be summarized. Members of the public may also make comments during the meeting by using Zoom's "Raise Hand" feature on their phone, tablet or other device during the relevant agenda item, and waiting to be recognized by the Chair. If calling into the meeting from a telephone, you can use "Star *9" to raise/ lower your hand. Comments will generally be limited to three minutes in length, or as specified by the Chair.

Authority Chair:	David Haubert	Executive Director:	Tess Lengyel
Vice Chair:	Melissa Hernandez	Staff Liaison:	Gary Huisingh
Members:	Karla Brown Sudhanshu "Suds" Jain Lily Mei	Clerk of the Authority:	Vanessa Lee

Location Information:

Zoom Link:

<https://us06web.zoom.us/j/87601740888?pwd=OEFrRzYoVUpmVHh1TU1YYjJWVGdaZz09>

Dial-in Information: 1 (669) 900 6833

Webinar ID: 876 0174 0888

Password: 435122

Meeting Agenda

1. Call to Order

2. Roll Call

3. AB 361 Findings

- 3.1 Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Allow Remote Meetings

Approve

[3.1_I-680_JPA_AB_361_Findings_20230213.pdf](#)

4. Election of Authority Chair and Vice Chair

- 4.1 Approve the Election of the Authority Chair and Vice-Chair of the Sunol Smart Carpool Lane Joint Powers Authority

Approve

[4.1_I-680_JPA_Election_of_Chair_and_ViceChair_20230213.pdf](#)

5. Public Comment

6. Consent Calendar

- 6.1 Approve the November 14, 2022 I-680 Sunol Smart Carpool Lane Joint Powers Authority (JPA) Meeting Minutes

Approve

[6.1_I-680_JPA_Minutes_20221114.pdf](#)

- 6.2 Approve the I-680 Sunol Smart Carpool Lane FY 2022-23 Second Quarter Financial Report

Approve

[6.2_I-680_JPA_2nd_Qtr_JPA_FY2022-23_Financial_Report_20230213.pdf](#)

- 6.3 I-680 Sunol Express Lanes Project Implementation Update

Information

[6.3_I-680_JPA_SunolEL_Implementation_Update_20230213.pdf](#)

7. Regular Matters

- 7.1 Approve the I-680 Sunol Smart Carpool Lane FY2022-23 Mid-Year Budget Update

Approve

[7.1_I-680_JPA_I-680_FY22-23_Mid-Year_Budget_Update_20230213.pdf](#)

8. Committee Member Reports

9. Staff Reports

10. Adjournment

Next Meeting

May 8, 2023

Notes:

- All items on the agenda are subject to action and/or change by the Commission/Committee.
- To comment on an item not on the agenda (3-minute limit, or at the discretion of the chair), submit a speaker card to the clerk, or follow remote instructions listed in the agenda preamble.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).
- Alameda CTC is located near 12th St. Oakland City Center BART station and AC Transit bus lines. [Directions and parking information](#) are available online.

M E M O R A N D U M

TO: Sunol Smart Carpool Lane Joint Powers Authority (“Sunol JPA”)
FROM: Neal A. Parish
DATE: January 27, 2023
RE: Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Allow Remote Board Meetings

As first discussed during the November 8, 2021 meeting of the Sunol JPA Board, AB 361 allows a local agency to continue to use teleconferencing without complying with the standard teleconferencing provisions of the Brown Act if the legislative body holds a meeting during a proclaimed state of emergency and determines by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees (Government Code section 54953(e)). The governing bodies of both Alameda CTC and VTA, the Sunol JPA’s member agencies, have carefully considered this issue periodically beginning in September 2021, and each agency has continued to regularly make and renew the appropriate findings, thereby allowing all meetings of the governing bodies, committees, and subcommittees of each agency to be held on a remote basis since October 1, 2021.

Since the Sunol JPA is a separate legal entity from both Alameda CTC and the VTA, however, the Sunol JPA Board is required to take an independent action to adopt the appropriate finding in order for the Sunol JPA Board to follow the lead set by its member agencies and also hold its meetings remotely. Although AB 361 allows an agency to renew the AB 361 findings by appropriate actions every 30 days or less, agencies may also simply adopt new findings and start the clock over if they do not meet within that 30 day period. This is the situation with the Sunol JPA Board, since it does not regularly meet on a monthly basis.

Accordingly, in order to hold this meeting of the Sunol JPA Board on a remote basis, the Board must approve a motion making the following finding:

Pursuant to Government Code Section 54953(e)(1), the Sunol Smart Carpool Lane Joint Powers Authority (“Sunol JPA”) hereby determines that there is a state of emergency proclaimed by the State of California based upon the COVID-19 Pandemic, and further determines that meeting in person would present imminent risks to the health or safety of attendees, and therefore Sunol JPA will follow the provisions of Government Code Section 54953(e)(2) with respect to all meetings of the Sunol JPA Board, subject to continued compliance and review pursuant to Section 54953(e)(3).

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Memorandum

4.1

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DATE: February 6, 2023

TO: I-680 Sunol Express Lane Joint Powers Authority

FROM: Tess Lengyel, Executive Director
Vanessa Lee, Clerk of the Authority

SUBJECT: Approve the election of the Authority Chair and Vice-Chair of the Sunol SMART Carpool Lane Joint Powers Authority

Recommendation

It is recommended that the Authority approve the election of the Chair and Vice-Chair of the Sunol SMART Carpool Lane Joint Powers Authority (Sunol JPA).

Summary

Per the Sunol JPA's Administrative Code, the election of the Chair and Vice-Chair of the Authority will occur annually at its first meeting of the year, and such elections will be effective immediately.

Background

The Sunol JPA annually elects the Chair and Vice Chair at its organizational Sunol JPA meeting. The Administrative Code indicates that in selecting the Chair and Vice-Chair, members of the Authority should give reasonable consideration to rotating these positions among voting members, among other things.

Fiscal Impact: There is no fiscal impact associated with the requested action.

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1. Call to Order

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Mei and Haubert.

3. Public Comment

There were no public comments.

4. AB 361 Findings

4.1 Consider and Adopt Resolution Pursuant to Government Code Section 54953(e) (AB 361) to Allow Hybrid and/or Remote Commission and Committee Meetings

Commissioner Hendricks moved to approve the item. Commissioner Brown seconded the motion. The motion passed with the following vote:

*Yes: Brown, Hendricks, Hernandez
No: None
Abstain: None
Absent: Haubert, Mei*

5. Consent Calendar

5.1 Approve the September 12, 2022 I-680 Sunol Smart Carpool Lane Joint Powers Authority (JPA) Meeting Minutes

5.2 I-680 Sunol Express Lanes Project Implementation Update

5.3 Approve the I-680 Sunol Smart Carpool Lane FY2022-23 First Quarter Financial Report

Commissioner Hendricks moved to approve the consent calendar. Commissioner Brown seconded the motion. The motion passed with the following vote:

*Yes: Brown, Hendricks, Hernandez
No: None
Abstain: None
Absent: Haubert, Mei*

6. Regular Matters

6.1 Approve the Sunol Smart Carpool Lane Draft Audited Annual Financial Report for the Year Ended June 30, 2022

David Alvey, Maze & Associates, provided an overview of the Sunol Smart Carpool Lane's Audited Financial Report for the year ended June 30, 2022 for which Maze and Associates issued a clean, or unmodified, audit opinion.

Patricia Reavey recommended that the Authority approve the Draft Audited Annual Financial Report for the Year Ended June 30, 2022.

Commissioner Hendricks moved to approve the item. Commissioner Brown seconded the motion. The motion passed with the following vote:

Yes: Brown, Hendricks, Hernandez

No: None

Abstain: None

Absent: Haubert, Mei

7. Committee Member Reports

Glenn Hendricks announced that the November meeting was his final meeting as a member of the Sunol JPA.

8. Staff Reports

There were no staff reports.

9. Adjournment

The next meeting is Monday, February 13, 2023 at 9:00 a.m.



Memorandum

6.2

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DATE: February 6, 2023

TO: I-680 Sunol Express Lane Joint Powers Authority

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration
Yoana Navarro, Accounting Manager

SUBJECT: Approve the I-680 Sunol Smart Carpool Lane FY2022-23 Second Quarter Financial Report

Recommendation

It is recommended that the Authority approve the I-680 Sunol Smart Carpool Lane FY2022-23 Second Quarter Financial Report.

Summary

This financial report provides a summary of actual revenues and expenses related to the I-680 Sunol Smart Carpool Lane for the fiscal year through December 31, 2022 compared to budget. Budget line items directly affected by revenue operations or timing of short-term special projects were projected on a monthly basis based on when the lanes were expected to be open to revenue operations or project work was expected to occur at the time the budget was adopted and not on a straight-line basis (equal or level basis throughout the fiscal year).

Total revenue was \$39,045 or 89.7 percent less than projected revenues through the second quarter of FY2022-23 due to a delay in opening the lanes for revenue operations. Revenue operations were suspended on August 10, 2020 to allow for construction work on the I-680 express lanes and are currently projected to reopen for revenue operations in early 2023; therefore, no toll or toll violation revenues were collected during the first half of the fiscal year. Operating expenses through the second quarter totaled \$257,563 or 76.5 percent less than budget also due to the delay in the opening of the lanes to revenue operations. In addition, non-operating expenses through the second quarter totaled \$310,794 or 14.9 percent less than budget. These variances together result in a decrease to net position of \$529,312 for an ending net position of \$4,578,315 comprised of investments in capital assets of \$226,792, maintenance and operational risk reserves of \$3,000,000, and unrestricted net position of \$1,351,523. As of December 31, 2022, the I-680 Sunol Smart Carpool Lane had cash and investments totaling \$4.7 million.

Background

The FY2022-23 operating budget approved by the I-680 Sunol Smart Carpool Lane Authority in May 2022 included \$2.8 million of revenues which was offset by \$4.6 million of expenses, including depreciation, resulting in a decrease of \$1.8 million to the projected net position for the fiscal year. The projected net position in the budget at the end of FY2022-23 was \$3,213,987 comprised of \$201,002 invested in capital assets; \$1,000,000 reserved for maintenance; \$2,000,000 reserved for operational risk; and \$12,985 of unrestricted funds. There was no capital budget proposed for FY2022-23.

Fiscal Impact: There is no fiscal impact associated with the requested action.

Attachment:

- A. I-680 Sunol Smart Carpool Lane Statement of Operating Revenues and Expenses
As of December 31, 2022

I-680 SUNOL SMART CARPOOL LANE
Statement of Operating Revenues and Expenses
As of December 31, 2022

	<u>YTD Actuals</u>	<u>YTD Budget</u>	<u>% Used</u>	<u>Favorable / (Unfavorable) Variance</u>
Beginning Net Position, June 30, 2022	\$ 5,107,627			
<u>OPERATING REVENUES</u>				
Toll Revenue	\$ -	\$ 371,429 *	-	\$ (371,429)
Interest Income	39,045	7,500	520.6%	31,545
Total Operating Revenues:	<u>39,045</u>	<u>378,929</u>	10.3%	<u>(339,884)</u>
<u>OPERATING EXPENSES</u>				
Operations and Maintenance	\$ -	\$ 185,714 *	-	\$ 185,714
Revenue Collection Fees	-	142,857 *	-	142,857
Alameda CTC Operations and Management	34,740	97,500	35.6%	62,760
System Manager/Operations Support	76,750	200,000	38.4%	123,250
Enforcement	-	57,143 *	-	57,143
Express Lane Monitoring	52,500	52,500	100.0%	-
Utilities	2,697	50,000	5.4%	47,303
Alameda CTC Administration	18,948	23,550	80.5%	4,602
IT Support	-	7,000	0.0%	7,000
Insurance	44,244	52,646 *	84.0%	8,402
Public Outreach/Education	-	50,000	0.0%	50,000
Legal Fees	13,131	12,500	105.0%	(631)
Roadway Maintenance	9,159	25,000	36.6%	15,841
Miscellaneous	5,394	12,500	43.2%	7,106
Contingency	-	125,000	0.0%	125,000
Total Operating Expenses:	<u>257,563</u>	<u>1,093,910</u>	23.5%	<u>836,347</u>
Operating Surplus (Deficit)	<u>(218,518)</u>	<u>(714,981)</u>		
<u>OTHER EXPENSES</u>				
Special Project - Salaries & Benefits	\$ 4,141	\$ 5,250	78.9%	\$ 1,109
Special Project - Toll Revenue Forecasting	306,653	360,000 *	85.2%	53,347
Total Non-Operating Expenses:	<u>310,794</u>	<u>365,250</u>	85.1%	<u>54,456</u>
<u>ENDING NET POSITION</u>	<u>\$ 4,578,315</u>			
<u>Net Position</u>				
Invested in Capital Assets	226,792			
Maintenance Reserve	1,000,000			
Operational Risk Reserve	2,000,000			
Unrestricted Net position	<u>1,351,523</u>			
Total Net Position as of September 30, 2022	<u>\$ 4,578,315</u>			

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Memorandum

6.3

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DATE: February 6, 2023
TO: I-680 Sunol Express Lane Joint Powers Authority
FROM: John Lowery, Director of Express Lanes Operations
SUBJECT: I-680 Sunol Express Lanes Project Implementation Update

Recommendation

This item is to provide the Authority with an update on the status of I-680 Sunol Express Lanes – Phase 1 project implementation. This item is for information only.

Summary

The Interstate 680 (I-680) Sunol Express Lanes (EL) Project (Phase 1) provides enhanced mobility for motorists in both the northbound and southbound directions by creating a new 9-mile express lane segment on northbound I-680 between Auto Mall Parkway and SR 84 and converting the existing southbound controlled-access express lane to an open-access facility between SR 84 and SR 262. A new toll system is being deployed for both directions of travel with new technology that will allow for implementation of all Authority-adopted toll policies.

The purpose of this item is to provide the Authority with a status update on the project development and implementation activities for the Phase 1 project.

Background

The I-680 Sunol Southbound Express Lane was opened to traffic in September 2010 as a controlled access express lane. Deemed a success, the next step was to develop a parallel northbound express lane. Alameda CTC is the project sponsor and implementing agency of the I-680 Sunol Express Lanes Project (I-680 Sunol EL Project), which passes through the cities of Milpitas and Fremont and the community of Sunol, and which has completed construction of a new 9-mile express lane segment on northbound I-680 between Auto Mall Parkway and SR 84. To be consistent with the new northbound express lane and provide enhanced accessibility for users, the project has also converted the existing southbound controlled-access express lane to an open-access facility between SR 84 and SR 262.

The project will provide a number of benefits to all motorists within the corridor. Motorists using the express lanes will enjoy faster and more reliable travel times, and all travel lanes will benefit by allowing toll-paying vehicles to utilize the express lanes. The express lanes will optimize the corridor capacity by providing a choice to drivers: single occupancy vehicles (SOVs) will have the option to pay an electronic toll to access the express lanes, while carpools with two or more persons, motorcycles, and transit vehicles may use the lanes at no cost and eligible clean air vehicles may receive a 50% toll discount for solo drivers. All users must have a valid FasTrak® toll tag to use the express lanes.

In order to complete the civil construction work and to install a new toll system, with Caltrans concurrence, the I-680 Sunol Southbound Express Lane ceased revenue operations and began operating in HOV-only mode beginning August 10, 2020, meaning that it is open for use only to HOV-eligible vehicles during the operating hours of 5 am – 8 pm, Monday – Friday, and open to all users during all other hours. On October 29, 2020, the new northbound express lane was opened for use, also in HOV-only mode, while construction and toll system development activities were completed. Operation of the new toll system will commence in early 2023.

Implementation of a new toll system requires the services of a Toll System Integrator (TSI), who provides specialized services for toll system design, software development, equipment procurement and installation, testing, and opening the express lanes for revenue service. Only upon completion of rigorous system testing during live operations, is the toll system implementation considered complete. In July 2021, following the termination of the original TSI contract, Alameda CTC authorized execution of a contract to Electronic Transactions Consultant, LLC (ETC) to implement an interim I-680 Sunol Express Lanes toll system in order to begin toll revenue collections as soon as possible.

ETC began design work in early 2022 and has been working collaboratively with Alameda CTC to ensure the contract requirements will be met. ETC has completed design documentation and lane hardware installation, despite some setbacks due to unforeseen site conditions and inclement weather. Toll system testing is currently underway, and revenue collection is expected to begin in early 2023 contingent upon final testing results, weather conditions, and any unforeseen issues. Alameda CTC staff have engaged consultants to execute an approved outreach plan to provide information to the public about the start of revenue collection.

Alameda CTC released a request for proposals (RFP) in March 2022 to select a TSI to implement a permanent toll system for the I-680 Sunol Express Lanes and the I-680 Gap Closure project, which will extend the southbound express lane to the Contra Costa County line. Alameda CTC awarded the TSI contract in October 2022 to the top-ranked firm, ETC. ETC will design implement, operate and maintain a permanent toll system for the entire I-680 corridor in Alameda County. The civil construction contract for the I-680 Gap Closure project was awarded in November 2022, and construction is expected to begin in early 2023.

Fiscal Impact: There is no fiscal impact. This is an information item only.



Memorandum

7.1

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DATE: February 6, 2023

TO: I-680 Sunol Express Lane Joint Powers Authority

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration
Lily Balinton, Director of Finance

SUBJECT: Approve the I-680 Sunol Smart Carpool Lane FY2022-23 Mid-Year Budget Update

Recommendation

It is recommended that the Authority approve the I-680 Sunol SMART Carpool Lane JPA FY2022-23 Mid-Year Budget Update.

Summary

The proposed mid-year budget update for the I-680 Sunol SMART Carpool Lane (Attachment A) adjusts the beginning net position of the currently adopted budget to tie to the ending net position in the audited financial statements for FY2021-22 and updates both revenue and expense line items to account for a delay in the start of tolling operations. The I-680 express lanes are expected to commence toll revenue collections in early 2023 and, upon opening to revenue service, are projected to receive approximately \$11,335,110 in capital assets from the Alameda CTC capital project. These changes, along with the contributed assets, increase the beginning net position by \$135,400, decrease projected revenues by \$1,245,000, and decrease expense authority by \$1,498,987; therefore, increasing the projected ending net position by \$11,724,497 to \$14,938,484. The projected ending net position is comprised of \$1.0 million of maintenance reserves, \$2.0 million of operational risk reserves, \$11,303,539 of investments in capital assets, net of depreciation, and \$634,945 of unrestricted funds.

Background

In May 2022, the Sunol Smart Carpool Lane Authority adopted an operating budget for FY2022-23, which included \$4,573,240 of expenses, including asset depreciation, to be paid from \$2,815,000 of revenues and unrestricted fund balance for an overall decrease in net position of \$1,758,240. This projected change in net position reflected depreciation expense of \$25,790 and an operating deficit of \$1,732,450 related to express lane revenue operations being paused while construction was taking place. There was no change to the

reserves for maintenance in net position in the FY2022-23 budget, which was set at a very low level, because major maintenance work is not expected to be required on the express lanes during the next few years due to the upgrades included in the capital project work, and there also was no change to the operational risk reserve in the FY2022-23 budget.

Fiscal Impact: The fiscal impact for the approval of this item is to decrease projected revenues by \$1,245,000 due to the extended suspension of toll collections and decrease budget expense authority by \$1,498,987 to \$3,074,253, to be paid from revenues and unrestricted fund balance, and increase projected capital assets by \$11,335,110 contributed from the Alameda CTC capital project. This budget update also increases the projected overall net position by \$11,724,497.

Attachment:

- A. I-680 Sunol Smart Carpool Lane Fiscal Year 2022-23 Proposed Mid-Year Budget Update

I-680 SUNOL SMART CARPOOL LANE JPA
Fiscal Year 2022-23
Proposed Mid-Year Budget Update

	FY 2022-23 Proposed Budget	Proposed Mid-Year Adjustment	Proposed FY22-23 Budget
Beginning Net Position	\$ 4,972,227	\$ 135,400	\$ 5,107,627
<u>OPERATING REVENUES</u>			
Toll Revenue	2,600,000	(1,100,000)	1,500,000
Toll Violation Revenue	200,000	(200,000)	-
Interest Income	15,000	55,000	70,000
Total Operating Revenues:	2,815,000	(1,245,000)	1,570,000
<u>OPERATING EXPENSES</u>			
Operations and Maintenance	1,300,000	(620,000)	680,000
Revenue Collection Fees	1,000,000	(530,000)	470,000
Alameda CTC Operations and Management	195,000	(115,000)	80,000
System Manager/Operations Support	400,000	(200,000)	200,000
Enforcement	400,000	(110,000)	290,000
Express Lane Monitoring	105,000	-	105,000
Utilities	100,000	(48,000)	52,000
Alameda CTC Administration	47,100	-	47,100
IT Support	14,000	(14,000)	-
Insurance	171,100	(51,100)	120,000
Public Outreach/Education	100,000	(75,000)	25,000
Legal Fees	25,000	20,000	45,000
Roadway Maintenance	50,000	(15,000)	35,000
Miscellaneous	25,000	-	25,000
Contingency	250,000	-	250,000
Total Operating Expenses:	4,182,200	(1,758,100)	2,424,100
Operating Surplus/(Deficit)	(1,367,200)	513,100	(854,100)
<u>OTHER EXPENSES</u>			
Special Proj - Toll Rev Forecasting Salaries & Benefits	5,250	750	6,000
Special Project - Toll Revenue Forecasting	360,000	-	360,000
Depreciation*	25,790	258,363	284,153
Total Non-Operating Expenses:	391,040	259,113	650,153
<u>OTHER SOURCES (USES)</u>			
Capital Asset Contribution**	-	11,335,110	11,335,110
Other Sources (Uses)	-	11,335,110	11,335,110
<u>PROJECTED ENDING NET POSITION</u>			
	\$ 3,213,987	\$ 11,724,497	\$ 14,938,484
Net Position			
Maintenance Reserve	1,000,000	-	1,000,000
Operational Risk Reserve	2,000,000	-	2,000,000
Invested in Capital Assets	201,002	11,102,537	11,303,539
Unrestricted	12,985	621,960	634,945
Total Net Position	\$ 3,213,987	\$ 11,724,497	\$ 14,938,484

* Non-cash expense

** Transfer in of capital assets from Alameda CTC capital project upon revenue operations

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