

Administration and Projects Committee **STAFF REPORT**

Meeting Date: December 02, 2021

Subject	Bay Area Express Lanes Network (Network) – Executive Steering Committee (ESC) Memorandum of Understanding (MOU) No. CIP.08.01
Summary of Issues	<p>The Bay Area Express Lanes Strategic Plan, which was adopted by the Metropolitan Transportation Commission (MTC) on April 28, 2021, recommends the formalization of the function of the ESC for the purpose of making recommendations to ensure consistent policies among various Bay Area Express Lane operators. In the Bay Area, Alameda County Transportation Commission (Alameda CTC), Santa Clara Valley Transportation Authority (VTA), San Mateo Joint Powers Authority, and MTC/Bay Area Infrastructure Financing Authority (BAIFA) operate various segments of the Network.</p> <p>Staff and legal counsels from MTC, the California Department of Transportation (Caltrans), and several Bay Area County Transportation Authorities (CTAs), including the Authority, have worked cooperatively to develop an MOU that defines the ESC purpose, membership, governance, and administration. In addition, the MOU affirms that recommendations made by the ESC are non-binding and participation in the ESC does not constitute any type of partnership or joint venture among member agencies.</p>
Recommendations	Staff seeks authorization for the Executive Director to execute the Network ESC MOU No. CIP.08.01.
Staff Contact	Hisham Noeimi

Financial Implications	None
Options	The Authority Board could elect to not be a signatory to the MOU.
Attachments (See APC Packet dated 12/2/21)	<p>A. Draft MOU No. CIP.08.01</p> <p>B. Bay Area Express Lanes Network 2021 Strategic Plan (online only)</p>
Changes from Committee	<i>None</i>

Background

The Network is conceived as a robust regional network of dedicated managed lanes that allows operators to better manage travel demand by primarily serving people in eligible carpools and buses, providing reliable travel times to lower-occupancy vehicles by allowing paid access, and thereby generating revenue for maintenance, operations, capital investments, and programs. The development of the Network has been a cooperative effort among Bay Area Express Lanes operators, several Bay Area CTAs, Caltrans, and the California Highway Patrol, along with input from supporting subcommittees and other stakeholders with a vested interest in the success of the Network such as transit operators and those advancing equity, carpooling, and vanpooling.

The Network ESC has existed for over five years as an informal venue for discussing express lane project development and tolling policies and practices. As the Network is built out, not only will more express lanes connect along corridors, but corridors will also begin to connect to each other. This can create complex interactions between multiple operators with different goals and/or policies, which may affect the user experience.

Consistency of public-facing operating policies is critical to the smooth functioning of a connected Network, as well as the traffic safety and highway operational efficiency. The MOU formalizes the function of the ESC to provide the following activities that support the goals of the Network as identified in the Bay Area Express Lanes Strategic Plan:

- Develop recommendations for consistent operating policies and practices among

Member Agencies.

- Identification of agencies, particularly concerning aspects of the Network that are user facing.
- Serve as a resource for consistency in tolling practices, project development, and operations for Member Agencies and other stakeholders.
- Other activities, to be determined by the ESC, e.g., examining new tolling technologies or interfacing with other organizations.

The ESC will strive for unanimous consent on matters of consistency in operations and will otherwise endeavor to achieve recommendations by consensus. When presenting actions on express lane operating polices to their decision-making bodies, Member Agencies commit to identifying the recommendations made by the ESC.

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