Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 22, 2015

Reference No.: 4.11
Action

From: WILL KEMPTON
Executive Director

Subject: **ROAD CHARGE TECHNICAL ADVISORY COMMITTEE & PILOT PROGRAM UPDATE**

BACKGROUND:

On September 29, 2014 the Governor signed Senate Bill (SB) 1077 (DeSaulnier, Road Usage Charge Pilot Program) mandating the Commission Chair, in consultation with the California State Transportation Agency (CalSTA) Secretary, to create a 15-member Road Usage Charge Technical Advisory Committee (Committee) to study road usage charge alternatives to the gas tax and to make recommendations on the design of a pilot program. CalSTA must implement a road usage charge pilot program by January 1, 2017 based on the recommendations of the Committee and submit to the Legislature, the Committee, and the Commission, a report of its findings by June 30, 2018. The Commission is required to include its recommendations regarding the pilot program in its annual report to the Legislature.

RECOMMENDATION:

Staff recommends the Commission appoint the three individuals identified in Attachment 1 as members of the California Road Usage Charge Technical Advisory Committee (Committee); thus completing the membership of the Committee.

DISCUSSION:

Given the schedule for development of road usage charge pilot program recommendations, the Commission Chair's immediate task, in consultation with the CalSTA Secretary, is the identification and appointment of the 15-member Committee. Pursuant to SB 1077, when identifying members, the Chair shall consider individuals representing the following areas:

- Telecommunications Industry
- Highway User Groups
- Data Security and Privacy Industry
- Privacy Rights Advocacy Organizations
- Regional Transportation Agencies
- National Research and Policymaking Bodies
- Members of the Legislature
- Other relevant stakeholders as determined by the Chair

Utilizing the membership guidance provided in SB 1077, Commission staff consulted with individuals representing the Legislature, Caltrans, Regional Transportation Agencies, and other interested stakeholders to identify organizations and individuals that represent a broad based membership for consideration. Staff shared the information gathered with the Commission Chair.

After consultation between the Commission Chair and the CalSTA Secretary, prospective members were contacted to solicit participation on the Committee. At the December 10, 2014 Commission meeting, 13 of the 15 members were appointed to the Technical Advisory Committee with appointments pending for the Privacy Rights Advocacy representative and the Assembly Speaker designee.

After the December meeting, staff received notification that the Telecommunications Appointee withdrew from the Committee membership. Utilizing the consultation process outlined in statute, staff identified Eshwar Pittampali, Director of Market Development for the Open Mobile Alliance (OMA) to serve as the Telecommunications Representative. Staff secured the participation of Lee Tien, Senior Staff Attorney for the Electronic Frontier Foundation as the Privacy Rights Advocacy Representative. The Assembly Speaker designated Assemblymember David Chiu to serve as the Assembly Legislative Representative.

These three individuals are presented for Commission consideration and appointment to the Technical Advisory Committee. Biographic information for these individuals and the organizations they represent is available in Attachment 2.

To meet the statutory requirements outlined in SB 1077, it is anticipated that the Committee will meet monthly, or more often as determined by the Committee, to allow for the time necessary to prepare for implementation of the pilot program by January 1, 2017.

The first meeting of the Committee will be held on January 23, 2015 in Sacramento. This meeting will address Committee operating procedures, planned meeting dates, and other administrative requirements in addition to road usage charge pilot program considerations. The agenda and meeting materials for the first Committee meeting are available online at:
http://www.catc.ca.gov/meetings/Committees/RUC/Jan_23_2015_AGENDA_(FINAL).pdf

Attachment 1– Road Usage Charge Technical Advisory Committee Members for Appointment
Attachment 2 –Road Usage Charge Technical Advisory Committee Member Biographies

California Road Usage Charge Technical Advisory Committee Members for Appointment

Category	Organization	Name/Title
Chair	California Transportation Commission (CTC)	James Madaffer, Commissioner
Telecommunications Industry	Open Mobile Alliance ~~Intelligent Transportation Society of California (ITS – CA)~~	**Eshwar Pittampalli, Director of Market Development** **NEW APPOINTMENT** ~~James Misener, Board Member~~
Data Security and Privacy	Center for Democracy and Technology (CDT) San Francisco	Gautam Hans, Policy Counsel & Director
Privacy Rights Advocacy	Electronic Frontier Foundation (EFF)	**Lee Tien, Senior Staff Attorney** **NEW APPOINTMENT**
Regional Transportation Agencies	Regional Agency Representative Regional Agency Representative Regional Agency Representative Regional Agency Representative	David Finigan, Supervisor, Del Norte County Scott Haggerty, Supervisor, Alameda County Robert Poythress, Mayor, City of Madera Pam O'Connor, Councilmember, City of Santa Monica
Members of the Legislature	Senate Pro Tem Appointment Speaker Appointment	Senator Jim Beall (D – San Jose) **Assemblymember David Chiu (D – San Francisco)** **NEW APPOINTMENT**
Highway User Groups	Automobile Club of Southern California (AAA) California Trucking Association (CTA)	Stephen Finnegan, Manager of Government & Community Affairs Eric Sauer, Vice-President of Policy & Government Relations
National Research and Policy Making Bodies	UCLA/TRB/AASHTO	Martin Wachs, Professor Emeritus of Urban Planning
Business and Economy	California Chamber of Commerce – California Foundation for Commerce and Education	Loren Kaye, President
Social Equity	Public Advocates, Inc.	Richard Marcantonio, Managing Attorney

California Road Charge
Technical Advisory Committee Member Biographies

1.) James Madaffer – Commissioner, California Transportation Commission (CTC)
California Transportation Commission Representative

Jim Madaffer is the owner of Madaffer Enterprises, Inc., a successful public policy and government relations consulting firm specializing in government and corporate relations statewide, representing clients from a variety of industries including medical devices, insurance, travel, legal, development, telecommunications, and more. In 2000, Jim was elected to the San Diego City Council and was reelected in 2004. During his tenure on the City Council from 2000-2008 (leaving due to term limits), Jim held a number of leadership positions including President Pro-Tem and Mayor Pro-Tem.

Jim's accomplishments as an elected official are numerous: building libraries, fostering economic development, water and waste water policy and specializing in regional transportation and planning issues. Jim is also Past President of the League of California Cities. He served on the League Board of Directors for over eight years. During his tenure with the League, Jim led the passage of several statewide ballot measures that protect cities, represented California Cities before federal officials in Washington DC on various issues and worked closely with the Governor and California's legislative leadership on budget, environmental, transportation and planning issues. Jim was appointed by Governor Brown to the California Transportation Commission in January 2014.

2.) Senator Jim Beall (D – San Jose) – California State Senate
Senate Legislative Representative

Jim Beall was elected in November 2012 to the California State Senate to represent District 15. He brings a lifetime of experience and understanding in government efficiency, transportation, and human services to the State Senate. In three decades of public service – first as a San Jose City Councilman, then as a Santa Clara County Supervisor, and an Assemblymember - Jim Beall has left his mark across Silicon Valley. He spurred the construction of Highways 85 and 87; fought to bring BART to San Jose; and authored bills to ease financing for seismic upgrades for our hospitals and also to grow California's solar industry. This has meant thousands of good jobs for working families. He is known throughout California for his legislation to help foster care children, low-income families, and people with disabilities. And he has made a lasting difference in the lives of over 100,000 local youngsters by leading the drive to create the Children's Health Initiative to ensure that every child in Santa Clara County can be covered by health insurance.

3.) Assemblymember David Chiu (D – San Francisco) – California State Assembly
Assembly Legislative Representative – NEW APPOINTEE

David Chiu was elected to the California State Assembly in November 2014. He represents the 17th Assembly District, which encompasses eastern San Francisco. Before joining the State Assembly, David Chiu served as President of the San Francisco Board of Supervisors for six years. With a reputation as a consensus maker, Chiu was the first Board President in San Francisco history elected by fellow Supervisors to three consecutive terms, and the first Asian American to hold the post. Chiu was first elected Supervisor in 2008 to represent San Francisco's northeast neighborhoods of District 3, which also includes the city's major tourism, retail, downtown and wharf areas; he was overwhelmingly re-elected in 2012.

The son of immigrant parents, David Chiu grew up in Boston and received his undergraduate, law and master's in public policy degrees from Harvard University. In the mid-1990s, Chiu served as Democratic Counsel to the U.S. Senate Constitution Subcommittee and Senator Paul Simon's aide to the U.S. Senate Budget Committee. After moving to San Francisco in 1996, David Chiu served as a criminal prosecutor at the

San Francisco District Attorney's Office and as a civil rights attorney with the Lawyers' Committee for Civil Rights. Chiu was also a founder of the public affairs technology company Grassroots Enterprise, where he served as Chief Operating Officer. As Supervisor, David Chiu authored over 100 ordinances across a wide range of policy areas, including affordable housing, job creation, public safety, the environment, health care, transportation, civil rights, ethics and technology.

4.) David Finigan – Supervisor, Del Norte County
Regional Transportation Agency Representative

Supervisor Finigan has served on the Del Norte County Board of Supervisors since he was first elected in 1996, serving five times as Chairman. Now in his fifth term, Supervisor Finigan also sits on various local, state and regional boards. He is a Past President of the California State Association of Counties, and also serves on the board and as a past Chair of the Regional Council of Rural Counties, on the boards of the Western Interstate Region of the National Association of Counties, and on the National Association of Counties Transportation Steering Committee.

Aside from serving on Del Norte County's Local Transportation Commission, Supervisor Finigan is also presently Chair of the Border Coast Regional Airport Authority and Treasurer for the Tri Agency Economic Development Joint Powers Authority. Supervisor Finigan served on the economic development working group of the Governor's Broadband Task Force and is currently a member of Cal Fire's Demonstration Forest Advisory Council and the National Forest Counties and Schools Coalition board of directors. In addition, Supervisor Finigan was one of the founding and current commissioners of First 5 Del Norte / Children's and Family Commission. David is also the Broker/owner of Finigan Real Estate, having worked as a realtor for 27 years.

5.) Stephen Finnegan – Manager of Government & Community Affairs, Automobile Club of Southern CA
Highway User Group Representative

Stephen Finnegan has over 25 years of experience in transportation, finance, business, and advocacy. His career includes work as a financial analyst with Bank of America, positions in planning and operations with the Los Angeles County Metropolitan Transportation Authority (Metro), serving as a management consultant to public agencies and non-profit organizations, and leading government affairs, community relations, traffic safety, advocacy, and public policy work for the Automobile Club of Southern California and affiliated AAA clubs providing service to 14 million members in 21 states.

At Metro, Mr. Finnegan was the planning director for the San Gabriel Valley, managed the County's $12 billion, seven-year Transportation Improvement Program, served as the MTA's liaison to the California Transportation Commission, and managed the nation's largest public motorist aid system. As a consultant, Mr. Finnegan completed management, performance, financial, transportation, and other studies for cities, counties, special districts, and non-profit organizations in California and the west.

Mr. Finnegan currently leads government affairs, community relations, and public policy work for the Automobile Club of Southern California where he advocates for motorist, insurance, and business issues, including improved mobility and traffic safety, effective and efficient use of transportation resources, adequate infrastructure for economic growth, and a healthy business environment. Mr. Finnegan received a Master of Arts degree in urban planning from the University of California at Los Angeles and a Bachelor of Arts from Claremont McKenna College.

6.) Scott Haggerty – Supervisor, Alameda County
Regional Transportation Agency Representative

Scott Haggerty was first elected to the Alameda County Board of Supervisors in November of 1996. Scott is currently serving a fifth four-year term on the Board. He was elected by the Board to serve as its vice president for 2013-14. Haggerty's district includes the cities of Livermore, Dublin, most of the city of Fremont and unincorporated areas of East Alameda County.

Supervisor Haggerty has taken a leading role in improving transportation throughout the region. He is active on a number of boards and commissions and has extensive experience in this policy area. Appointed to the Metropolitan Transportation Commission (MTC) in 2000, he formerly served as chair and vice chair. He is also a member of the Association of Bay Area Governments (ABAG) as well as the former chair of the Bay Area Air Quality Management District (BAAQMD). At the county-wide level, Scott serves as chair of the Alameda County Transportation Commission (ACTC); member and former chair of the Altamont Commuter Express Joint Powers Authority (ACE); member and chair of the Livermore Amador Valley Transit Authority (LAVTA); member of the Tri-Valley Transportation Council (TVTC); and member of the Board of Supervisors Transportation and Planning Committee.

At the national level, Scott represents Alameda County at the National Association of Counties (NACo) serving in various leadership capacities including vice chair of the Large Urban County Caucus. He is also a long-time member of NACo's Transportation Steering Committee serving two terms as its chair as well as heading up subcommittees for Rail and Transit and for Ports. NACo's membership totals more than 2,000 counties representing 80 percent of the U.S. population.

7.) Gautam Hans – Director and Policy Counsel, Center for Democracy and Technology
Data Security and Privacy Representative

Gautam Hans is Policy Counsel and Director of the Center for Democracy and Technology (CDT), San Francisco, promoting CDT's presence on the West Coast as a leader in technology policy and advocacy. His work focuses on digital civil liberties policy, outreach, and development. Gautam joined CDT in 2012 as the Ron Plesser Fellow, focusing on consumer privacy issues, including mobile technology, government regulation and enforcement, and the intersection of privacy and free speech. As the Plesser Fellow, he advocated CDT's consumer privacy agenda in multi-stakeholder convenings, regulatory filings, conferences, and the press. Prior to joining CDT, Gautam interned at the FTC's Bureau of Consumer Protection, the Electronic Privacy Information Center, the American Civil Liberties Union of Michigan, and the American Civil Liberties Union of Northern California.

In 2006, Gautam earned his B.A. in English and Comparative Literature from Columbia University. He then worked as an Editorial Assistant at the Knopf Group of Random House. While in law school, he served as Editor-in-Chief of the Michigan Telecommunications and Technology Law Review and worked as a student attorney in the Michigan Clinical Law Program and the Entrepreneurship Clinic. In 2012, Gautam earned his J.D., cum laude, from the University of Michigan Law School and his M.S. in Information from the University of Michigan School of Information. He is a member of the Maryland bar.

8.) Loren Kaye – President, Foundation for Commerce and Education
Business and Economy Representative

Loren Kaye was appointed president of the Foundation for Commerce and Education in January 2006. Mr. Kaye has devoted his career to developing, analyzing and implementing public policy issues in California, with a special emphasis on improving the state's business and economic climate. Mr. Kaye is also a gubernatorial appointee to the state's Little Hoover Commission, charged with evaluating the efficiency and

effectiveness of state agencies and programs. Mr. Kaye served in senior policy positions for Governors Pete Wilson and George Deukmejian, including Cabinet Secretary to the Governor and Undersecretary of the California Trade and Commerce Agency.

Mr. Kaye has also represented numerous private sector interests, managing issues that affect specific business sectors to promote an improved business climate or to resist further regulation or costs on business. Mr. Kaye lives in Sacramento with his wife and daughter. The California Foundation for Commerce and Education is affiliated with the California Chamber of Commerce and serves as a "think tank" for the California business community. The Foundation is dedicated to preserving and strengthening the California business climate and private enterprise through accurate, impartial and objective research and analysis of public policy issues of interest to the California business and public policy communities.

9.) Richard Marcantonio – Managing Attorney, Public Advocates, Inc.
Social Equity Representative

Richard A. Marcantonio leads Public Advocates' transportation, housing, and climate justice advocacy and litigation team. His deep knowledge of both affordable housing and transportation equity makes him a valued interdisciplinary advocate. As California reforms its approach to regional planning for land use and transportation, Richard is working with coalitions around the state to ensure that laws calling for greenhouse gas emission reductions are implemented to bring benefits, rather than added burdens, to low-income communities and communities of color. Before coming to Public Advocates, Richard served as director of litigation at Legal Aid of the North Bay for nine years, specializing in housing issues in Marin and Napa Counties.

Richard has also practiced civil and appellate litigation at the Howard, Rice law firm and clerked for the Hon. Robert L. Carter, U.S. District Judge for the Southern District of New York. Richard received his A.B. from Princeton University in 1982. He graduated cum laude and Order of the Coif from New York University School of Law in 1987, where he was articles editor of the N.Y.U. Review of Law and Social Change, and represented low-income clients at N.Y.U.'s Urban Law Clinic and Unemployment Action Center.

10.)Pam O'Connor – Councilmember, City of Santa Monica
Regional Transportation Agency Representative

Throughout nearly two decades, Mayor Pam O'Connor has championed policies and partnerships that enhance community livability and wellbeing. She is particularly interested in issues that advance mobility, transportation and sustainability. Mayor O'Connor serves on the Los Angeles County Metro Board where she leads Metro's Sustainability Committee and chairs its Planning and Programming Committee. Pam O'Connor is also Chair of the Exposition Metro Line Construction Authority Board that oversees building of the light rail line that extends from Downtown Los Angeles to Santa Monica. In 2012 as President of the Southern California Association of Governments, the nation's largest metropolitan planning organization, she led the 84-member Regional Council in the unanimous adoption of the region's first Sustainable Communities Strategy.

She holds Masters' degrees in Planning and in Technology Management from Eastern Michigan University and a B.S. in Communications from Southern Illinois University. Mayor O'Connor views community wellbeing as the natural next step in the evolution of local government, as well as a way to advance the connection between mobility and sustainability issues by looking at their impact through the lens of human flourishing.

11.) Eshwar Pittampalli – Director of Market Development, Open Mobile Alliance
Telecommunications Industry Representative – NEW APPPOINTEE

Dr. Eshwar Pittampalli currently serves as the Director of Market Development for the Open Mobile Alliance (OMA) in San Diego, CA. Prior to joining OMA, Pittampalli was a partner in the Alcatel-Lucent Corporate Marketing organization promoting the Internet of Things (M2M) market growth program. Prior to this role, he led the Alcatel-Lucent corporate market intelligence team as Senior Director forecasting global telecom market trends, sizing, shares supporting CFO's office, product groups and regions. He has over twenty eight years of experience with AT&T Bell Labs, Lucent Technologies and Alcatel-Lucent.

In 2003, Dr. Pittampalli was awarded Bell Labs' highest honor, Bell Labs Fellow, for his outstanding technical contributions and leadership in advancing wireless communications technology and Standards. Dr. Pittampalli is a registered professional engineer with Master of Science and Ph.D. degrees in electrical engineering from the University of Oklahoma in Norman, Oklahoma. Dr. Pittampalli is also a Registered Patent Law practitioner with a Mini-MBA from the Wharton School of Business.

12.) Robert Poythress – Mayor, City of Madera
Regional Transportation Agency Representative

Mayor Robert Poythress is currently serving his third term in office. He was first elected to the City Council in 2004 and reelected in 2008 and 2012. In 2012, Robert was elected as the first elected Mayor in the City of Madera through 2016. Robert is a native Maderan. He graduated from Madera High School in 1974. After high school, he attended California Polytechnic State University, San Luis Obispo, California and in 1978 graduated with a Bachelor of Science (BS) Degree in Agricultural Business Management; and in 1998 he earned his graduate degree from Pacific Coast Banking School, University of Washington. Robert has been in the banking industry since 1979. He is currently Vice President and Manager of Citizen's Business Bank in Madera, California where he has been since 2005. He is also a partner in Teco Hardware and Poythress Farms. Robert currently serves as a Commissioner on the Madera County Transportation Commission and as Chairman of the San Joaquin Valley Regional Policy Council.

13.) Eric Sauer – Vice-President of Policy & Government Relations, California Trucking Association
Highway User Group Representative

Eric Sauer is the Vice President of Policy and Government Relations for the California Trucking Association (CTA) and is responsible for overseeing the Association's advocacy, regulatory and policy agenda and priorities. Mr. Sauer has been with CTA since 2001 and was promoted to Vice President in 2006. Throughout his tenure at CTA, Mr. Sauer has worked extensively with the California Highway Patrol, Department of Motor Vehicles, Department of Transportation (Caltrans) and the Federal Motor Carrier Safety Administration on the development and implementation of major programs and regulations impacting the trucking industry. Additionally, Mr. Sauer has been the Chairperson for the California Transportation Permit Advisory Council since its inception. He is a graduate of California State University Sacramento and resides in Drytown (Amador County).

14.) Lee Tien – Senior Attorney, Electronic Frontier Foundation
Privacy Rights Advocacy Representative – NEW APPOINTEE

Lee Tien is a Senior Staff Attorney with the Electronic Frontier Foundation, specializing in free speech law, privacy, and surveillance law. Before joining EFF, Lee was a sole practitioner specializing in Freedom of Information Act (FOIA) litigation. Mr. Tien has published articles on children's sexuality and information technology, anonymity, surveillance, and the First Amendment status of publishing computer software. Lee received his undergraduate degree in psychology from Stanford University, where he was very active in journalism at the *Stanford Daily*. After working as a news reporter at the *Tacoma News Tribune* for a year, Lee went to law school at Boalt Hall, University of California at Berkeley. Lee also did graduate work in the Program in Jurisprudence and Social Policy at UC-Berkeley.

15.) Martin Wachs – Professor Emeritus, UCLA Luskin School of Public Affairs
National Research and Policy Representative

Martin Wachs served as Professor Emeritus of Civil & Environmental Engineering and of City & Regional Planning at the University of California, Berkeley, where he directed the Institute of Transportation Studies. He earlier spent 25 years at UCLA, where he was Chairman of the Department of Urban Planning for eleven years. After retiring from the University, Wachs became the Director of the Transportation, Space, and Technology Program at the RAND Corporation in Santa Monica. He is now teaching courses and conducting research at UCLA in transportation policy and working on transportation policy projects at RAND.

Wachs is the author of 180 articles and wrote or edited five books on subjects related to transportation finance and economics, relationships between transportation, land use, and air quality, transportation needs of the elderly, techniques for the evaluation of transportation systems, and the use of performance measurement in transportation planning. His research also addresses, equity in transportation policy, crime in public transit systems, and the response of transportation systems to natural disasters including earthquakes.

Dr. Wachs served on the Executive Committee of the Transportation Research Board (TRB) for nine years and was the TRB Chairman during the year 2000. He is the recipient of a Guggenheim Foundation Fellowship, two Rockefeller Foundation Humanities Fellowships, a UCLA Alumni Association Distinguished Teaching Award, the Pyke Johnson Award for the best paper presented at an annual meeting of the Transportation Research Board, and the Carey Award for service to the TRB. In January of 2010 he delivered the Thomas Deen Distinguished Lecture at the annual meeting of the TRB. In 2011 he received the Distinguished Transportation Researcher award from the Transportation Research Forum.