

**From:** Mark Baker <mbaker@moonlightadvocacy.org>  
**Sent:** Sunday, February 22, 2026 10:07 PM  
**To:** MTC-ABAG Info <info@bayareametro.gov>; Carsie Bonner <cbonner@bayareametro.gov>; snoack@pleasanthillca.org <snoack@pleasanthillca.org>; District3@marincounty.org <District3@marincounty.org>; melgarstaff@sfgov.org <melgarstaff@sfgov.org>; bosdist4@acgov.org <bosdist4@acgov.org>; mezzzyashcraft@alamedaca.org <mezzzyashcraft@alamedaca.org>; eddie.ahn.mtc@gmail.com <eddie.ahn.mtc@gmail.com>; gpapan.mtc@gmail.com <gpapan.mtc@gmail.com>  
**Cc:** Ben Davis <ben@illuminate.org>; Alix Bockelman <ABockelman@bayareametro.gov>; Andrew Fremier <AFremier@bayareametro.gov>; Angela Louie <alouie@bayareametro.gov>; Crystal Matson <cmatson@bayareametro.gov>; Kathleen Kane <kkane@bayareametro.gov>  
**Subject:** MTC and Transparency - Bay Lights 360

**Dear Metropolitan Transportation Commission,**

**This is a public comment.**

**The MTC states on its website, "Integrity: Be transparent, accountable and responsible in providing information and making decisions." However, despite this slogan, MTC and BATA are not at all transparent or accountable for the Bay Lights 360 project.**

**I was notified that on February 22, 2026, the Bay Lights 360 project was activated. This activation occurred despite zero public input, zero transparency from BATA, and zero accountability by BATA or the MTC for this unauthorized project which is based on multiple fraudulent permit applications and sponsored almost entirely by private donations, in violation of the Caltrans Transportation Art Program requirement which mandates that only public funding be used.**

**If the MTC were proud of the Bay Lights 360 project for which BATA claims to be the Lead Agency, BATA would have a major web presence for this \$11,000,000 project. However, as you know, the Bay Lights 360 is a private project, by Ben Davis of**

**Illuminate, which was carried out fraudulently by BATA staff in coordination with staff at Caltrans and BCDC. Despite the fact that BATA staff excluded public input and excluded the BATA Oversight Committee from participation in violation of the Brown Act, MTC has failed to be transparent to the public.**

**Because MTC is not being transparent, I filed a Whistleblower Complaint with the California State Auditor (see attached).**

**Therefore, I demand that MTC either immediately publish the full public record for the Bay Lights 360 project on the BATA website, including all funding sources, or the MTC should remove all references to the term "transparency" and "accountability" from MTC's website so as not to gaslight the public.**

**Sincerely,**

**Mark Baker**

**California Taxpayer**