

Meeting Agenda

Bay Area Headquarters Authority

Authority Members:

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair
Margaret Abe-Koga, Cindy Chavez, Federal D. Glover,
Amy R. Worth

Wednesday, November 17, 2021

9:45 AM

REMOTE

The Bay Area Headquarters Authority is scheduled to meet on Wednesday, November 17, 2021 at 9:45 a.m., or immediately following the 9:40 a.m. BATA meeting, in the Bay Area Metro Center (Remotely). In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with the recently signed Assembly Bill 361 allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Attendee Link: <https://bayareametro.zoom.us/j/81188017106>

iPhone One-tap: US: +13462487799,,81188017106# or +14086380968,,81188017106#

Join by Telephone (for higher quality, dial a number based on your current location) US:

+1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or

+1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or

+1 312 626 6799 or 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 811 8801 7106

International numbers available: <https://bayareametro.zoom.us/u/kd8MkqqDjp>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>. Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial "*9". In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this Authority shall be a majority of its regular voting members (3).

2. Consent Calendar

- 2a. [21-1367](#) Minutes of the October 27, 2021 meeting
Action: Authority Approval
Attachments: [2a - 21-1367 - Oct 27 BAHA Draft Minutes.pdf](#)
- 2b. [21-1368](#) Commercial Lease Expansion-375 Beale Street, 1st Floor HUB: Bay Area Headquarters Authority-FasTrak® Regional Customer Service Center
Action: Authority Approval
Presenter: Monica Serrano
Attachments: [2b - 21-1368 - Commercial Lease Expansion.pdf](#)
- 2c. [21-1498](#) BAHA Resolution No. 26 - AB 361 Remote Meetings
Action: Authority Approval
Attachments: [2c - 21-1498 - BAHA Reso 026 - AB 361.pdf](#)

3. Public Comment / Other Business**4. Adjournment / Next Meeting**

The next meeting of the Bay Area Headquarters Authority is scheduled to be held at 9:45 a.m. remotely and by webcast on ***the third Wednesday, December 15, 2021.*** Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Authority meetings by completing a request-to-speak card (available from staff) and passing it to the Authority secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Authority may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Authority meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Authority members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Authority. Actions recommended by staff are subject to change by the Authority.

Legislation Details (With Text)

File #: 21-1367 **Version:** 1 **Name:**
Type: Minutes **Status:** Authority Approval
File created: 10/5/2021 **In control:** Bay Area Headquarters Authority
On agenda: 11/17/2021 **Final action:**
Title: Minutes of the October 27, 2021 meeting
Sponsors:
Indexes:
Code sections:
Attachments: [2a - 21-1367 - Oct 27 BAHA Draft Minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
Minutes of the October 27, 2021 meeting

Recommended Action:
Authority Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Bay Area Headquarters Authority

Authority Members:

*Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair
Margaret Abe-Koga, Cindy Chavez, Federal D. Glover,
Amy R. Worth*

Wednesday, October 27, 2021

10:15 AM

REMOTE (In person option available)

Call Remote Meeting to Order

1. Roll Call / Confirm Quorum

Present: 6 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Chavez, Commissioner Glover and Commissioner Worth

2. Consent Calendar

Upon the motion by Commissioner Worth and the second by Commissioner Glover, the Consent Calendar was unanimously approved by the following vote:

Aye: 6 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Chavez, Commissioner Glover and Commissioner Worth

2a. [21-1179](#) Minutes of the September 22, 2021 meeting

Action: Authority Approval

2b. [21-1180](#) Contract Amendment - Architectural and Engineering Services: TEF
Architecture and Interior Design, Inc. (\$80,000)

Action: Authority Approval

Presenter: Denise Rodrigues

2c. [21-1464](#) BAHA Resolution No. 25 - AB 361 Remote Meetings

Action: Authority Approval

3. Public Comment / Other Business

4. Adjournment / Next Meeting

The next meeting of the Bay Area Headquarters Authority is scheduled to be held at 9:45 a.m. remotely and by webcast on ***the third Wednesday, November 17, 2021.*** Any changes to the schedule will be duly noticed to the public.

Legislation Details (With Text)

File #:	21-1368	Version:	1	Name:	
Type:	Contract	Status:		Authority Approval	
File created:	10/5/2021	In control:		Bay Area Headquarters Authority	
On agenda:	11/17/2021	Final action:			
Title:	Commercial Lease Expansion-375 Beale Street, 1st Floor HUB: Bay Area Headquarters Authority-FasTrak® Regional Customer Service Center				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	2b - 21-1368 - Commercial Lease Expansion.pdf				

Date	Ver.	Action By	Action	Result
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Subject:

Commercial Lease Expansion-375 Beale Street, 1st Floor HUB: Bay Area Headquarters Authority-FasTrak® Regional Customer Service Center

Presenter:

Monica Serrano

Recommended Action:

Authority Approval

**Bay Area Headquarters Authority
BAHA**

November 17, 2021

Agenda Item 2b - 21-1368

**Commercial Lease Expansion-375 Beale Street, 1st Floor HUB: Bay Area Headquarters
Authority-FasTrak® Regional Customer Service Center**

Subject:

A request that the Authority authorize the Executive Director to negotiate and enter into an amendment to expand the lease agreement (the BATA Lease) with Bay Area Toll Authority (BATA) to include use of the first floor HUB as a temporary Walk-In Center for the FasTrak® Regional Customer Service Center (CSC).

Background:

The CSC is operated by Conduent State and Local Solutions, Inc. (Conduent) under a contract with BATA (the CSC Contract). Conduent currently operates the CSC at 375 Beale Street. BATA leases the CSC space from BAHA under the BATA Lease, and Conduent operates at Beale Street under license agreement with BATA. As part of its obligations under the CSC Contract, Conduent pays the lease payments to BATA. BATA has authorized a contract extension through March 2024.

The BATA Lease expires in November 2022. Currently, the BATA Lease includes the use of space on the second and third floors (Suites 200A and 300C) at 375 Beale Street, which includes a Walk-In Center on the second floor for in-person customer service. To reduce traffic to the second floor Walk-In Center, staff is recommending expansion of the lease agreement of the BATA Lease to include use of the HUB on the first floor as a temporary Walk-In Center Annex. We may extend the use of the HUB depending on the success or use changes to the space or similar.

This lease amendment if authorized, will expand the leased space to include the first floor HUB. The inclusion of the 629 square foot 1st floor HUB space will result in a cost increase of \$33,664.63, a breakdown of this cost increase is detailed below:

Rental Period	1st Floor Hub Monthly Rent	Total Cost for Rental Period
12/01/2021 to 02/28/2022	\$2,704.96	\$8,114.89
03/01/2022 to 11/30/2022	\$2,838.86	\$25,549.74

Next Steps:

Upon BAHA approval, BATA staff will request approval to expand Conduent's scope of work to include staff operations and rent payment of the temporary 1st floor Walk-In Center. This request will be made during BATA Oversight Committee meeting on December 8, 2021.

Issues:

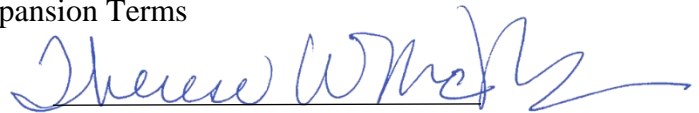
None identified.

Recommendations:

Staff requests the Authority to authorize the Executive Director or designee to enter a lease expansion between BATA and BAHA for a period of 1 year with the fiscal impact of \$33,664.63. The details of this recommendation are provided in Attachment A.

Attachments:

Attachment A: Summary of Proposed Lease Expansion Terms



Therese W. McMillan

Attachment A

SUMMARY OF PROPOSED LEASE EXPANSION TERMS

Landlord:	Bay Area Headquarters Authority (“Landlord” or “BAHA”)
Tenant:	Bay Area Toll Authority (“Tenant” or “BATA”)
Use:	FasTrak® Customer Service Center
Space:	375 Beale Street, 1st Floor HUB: 629 Rentable Square Feet (RSF)
Brief Scope of Lease Amendment	BATA is requesting authorization to extend BATA’s current lease agreement with BAHA to include the HUB from December 2021- November 2022. The space will be sublet to Conduent to establish an additional temporary Walk-In Center to reduce traffic into the interior of the building.
Rent	\$33,664.63 Lease Cost 629 RSF for HUB
Fiscal Impact:	\$33,664.63
Motion by Committee:	That the Executive Director or designee is authorized to negotiate and enter into a lease amendment with BAHA for the use of the HUB described above and in the Bay Area Headquarters Authority Summary Sheet dated November 17, 2021 and that the Chief Financial Officer is authorized to set aside \$33,664.63 for such lease space expansion.
Bay Area Headquarters Authority:	<hr/> Alfredo Pedroza, Chair
Approved:	November 17 th , 2021

Legislation Details (With Text)

File #: 21-1498 **Version:** 1 **Name:**
Type: Resolution **Status:** Authority Approval
File created: 10/28/2021 **In control:** Bay Area Headquarters Authority
On agenda: 11/17/2021 **Final action:**
Title: BAHA Resolution No. 26 - AB 361 Remote Meetings
Sponsors:
Indexes:
Code sections:
Attachments: [2c - 21-1498 - BAHA Reso 026 - AB 361.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:
BAHA Resolution No. 26 - AB 361 Remote Meetings

Recommended Action:
Authority Approval

**Bay Area Headquarters Authority
BAHA**

November 17, 2021

Agenda Item 2c - 21-1498

BAHA Resolution No. 26 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of BAHA Resolution No. 26 Regarding Remote Meetings Pursuant to AB 361

Background:

The recently-enacted bill, AB 361, provides for continuing availability of remote meetings during the pandemic-related state of emergency in California. In order to invoke this option, governing boards of Brown Act bodies, or their authorized designated committees must make certain findings in support of remote meetings within 30 days of the first meeting occurring after October 1, 2021, and every 30 days thereafter. Attached for your review and approval is a resolution invoking AB 361 and providing for remote meetings retroactive to Oct. 1 of this year and prospectively for 30 days following the Bay Area Headquarters Authority's action.

Issues:

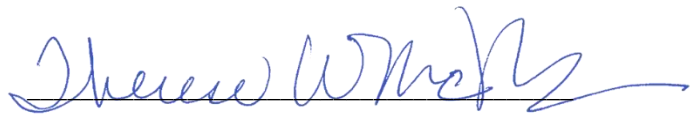
Findings in support of Resolution No. 26 are found in the attached. Given the continuing state of public health emergency and the improved public access afforded by holding public meetings of regional bodies in a virtual setting, the resolution under AB 361 is supportable.

Recommended Action:

The Bay Area Headquarters Authority is requested to adopt Resolution No. 26, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- Attachment A: BAHA Resolution No. 26



Therese W. McMillan

Date: November 17, 2021
Referred By: BAHA

ABSTRACT

Resolution No. 026

This resolution makes findings pursuant to AB 361 to continue virtual public meetings for the Bay Area Headquarters Authority (BAHA), its related entities and committees during the COVID-19 State of Emergency.

Further discussion of this subject is contained in the BAHA Summary Sheet dated November 17, 2021.

Date: November 17, 2021
Referred By: BAHA

RE: Findings Pursuant to AB 361 to Continue Virtual Public Meetings for the Bay Area Headquarters Authority (BAHA), With its Related Entities and Committees, During the COVID-19 State of Emergency

BAY AREA HEADQUARTERS AUTHORITY
RESOLUTION NO. 026

WHEREAS, on March 4, 2020, the Governor of the State of California declared a state of emergency, as defined under the California Emergency Services Act, due to the COVID-19 pandemic; and

WHEREAS, the State of Emergency remains in effect; and

WHEREAS, beginning in March 2020, the Governor's Executive Order N-29-20 suspended Brown Act requirements related to teleconferencing during the COVID-19 pandemic provided that notice, accessibility, and other requirements were met, and the public was allowed to observe and address the legislative body at the meeting; and

WHEREAS, Executive Order N-08-21 extended the previous order until September 30, 2021; and

WHEREAS, the Bay Area Headquarters Authority (BAHA) and its related entities and committees have conducted their meetings virtually, as authorized by the Executive Order, since March 17, 2020; and

WHEREAS, on September 16, 2021, the Governor signed into law AB 361, an urgency measure effective upon adoption, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules if: (i) the legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; (ii) the legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or (iii) the legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, that, as a

result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, although applicable social distancing requirements are currently no longer in effect, the San Francisco Public Health Department continues to recommend measures to promote social distancing in combination with other safety precautions when activities occur in shared indoor spaces to mitigate the risk of COVID-19 transmission; and

WHEREAS, in the last few months, the Delta variant has surged in the United States and become the predominant COVID-19 variant, the Delta variant is believed by medical experts to be twice as contagious as previous variants, and data has shown the variant has increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about the Delta variant and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date until later in the year or next year; and

WHEREAS, virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities; and

WHEREAS, given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space would pose an unnecessary and immediate risk to the attendees;

NOW, THEREFORE, BE IT RESOLVED, that the Bay Area Headquarters Authority hereby determines that, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees; and be it further

RESOLVED, that in accordance with AB 361, based on the findings and determinations herein, meetings of BATA, its related entities and its committees will be held virtually, with Brown Act teleconferencing rules suspended; and be it further

RESOLVED, that this resolution shall be effective upon adoption and remain in effect for 30 days in accordance with AB 361.

BAY AREA HEADQUARTES AUTHORITY

Alfredo Pedroza, Chair

The above resolution was entered into by the
Bay Area Headquarters Authority at a duly
called and noticed meeting held in San
Francisco, California and at other remote
locations, on November 17, 2021