BAHA
BAY AREA HEADQUARTERS AUTHORITY

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

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, May 25, 2022 9:45 AM HYBRID (In person option available)

The Bay Area Headquarters Authority is scheduled to meet on Wednesday, May 25, 2021 at 9:45 a.m. or immediately following the 9:40 a.m. BATA meeting, in the Bay Area Metro Center (HYBRID - In person option available). 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.
Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Yerba Buena Conference Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building.

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/88190761522
Or iPhone one-tap: US: +13462487799,,88190761522# or +16699006833,,88190761522#
Or Join by Telephone: (for higher quality, dial a number based on your current location) US: +1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)
Webinar ID: 881 9076 1522
International numbers available: https://bayareametro.zoom.us/u/kdiVbKoYW1

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. 22-0803 Minutes of the April 27, 2022 meeting

Action: Authority Approval

Attachments: 2a - 22-0803 - April 27 BAHA Draft Minutes.pdf

2b. 22-0804 BAHA Resolution No. 032 Providing for Remote Meetings Pursuant to Assembly Bill 361

Action: Authority Approval

Attachments: 2b - 22-0804 - BAHA-Reso-032_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. on June 22, 2022. 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.

375 Beale Street, Suite 800
San Francisco, CA 94105

Metropolitan Transportation Commission

Legislation Details (With Text)

File #:	22-0803	**Version:**	1	**Name:**	
Type:	Minutes			**Status:**	Authority Approval
File created:	4/15/2022			**In control:**	Bay Area Headquarters Authority
On agenda:	5/25/2022			**Final action:**	
Title:	Minutes of the April 27, 2022 meeting				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	2a - 22-0803 - April 27 BAHA Draft Minutes.pdf				

Date	Ver.	Action By	Action	Result

Subject:
Minutes of the April 27, 2022 meeting

Recommended Action:
Authority Approval

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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, April 27, 2022 **9:45 AM** **REMOTE (In person option available)**

Call Meeting to Order

1. Roll Call / Confirm Quorum

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

2. Consent Calendar

Upon the motion by Commissioner Glover and seconded by Vice Chair Josefowitz, the Consent Calendar was unanimously approved by the following vote:

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

2a. 22-0525 Minutes of the March 23, 2022 meeting

Action: Authority Approval

2b. 22-0526 BAHA Resolution No. 031 Providing for Remote Meetings Pursuant to Assembly Bill 361

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. on May 25, 2022. Any changes to the schedule will be duly noticed to the public.

375 Beale Street, Suite 800
San Francisco, CA 94105

Metropolitan Transportation Commission

Legislation Details (With Text)

File #:	22-0804	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Authority Approval
File created:	4/15/2022			**In control:**	Bay Area Headquarters Authority
On agenda:	5/25/2022			**Final action:**	
Title:	BAHA Resolution No. 032 Providing for Remote Meetings Pursuant to Assembly Bill 361				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	2b - 22-0804 - BAHA-Reso-032_AB 361.pdf				

Date	Ver.	Action By	Action	Result

Subject:
BAHA Resolution No. 032 Providing for Remote Meetings Pursuant to Assembly Bill 361

Recommended Action:
Authority Approval

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Bay Area Headquarters Authority
BAHA

May 25, 2022 **Agenda Item 2b - 22-0804**

BAHA Resolution No. 32 Providing for Remote Meetings Pursuant to AB 361

Subject:

Approval of BAHA Resolution No. 32 Regarding Remote Meetings Pursuant to AB 361.

Background:

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 prospectively for 30 days following the Bay Area Headquarters Authority's action.

Issues:

Findings in support of Resolution No. 32 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. 32, authorizing its committees and related entities, to meet remotely pursuant to the provisions of AB 361.

Attachments:

- Attachment A: BAHA Resolution No. 32

Therese W. McMillan

Date: May 25, 2022
Referred By: BAHA

ABSTRACT

Resolution No. 032

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 May 25, 2022.

Date: May 25, 2022
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. 032

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, the San Francisco Public Health Department continues to recommend and/or require 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, recently, multiple COVID-19 variants have surged in the United States and are believed by medical experts to be more contagious than previous variants, and data has shown these variants have increased transmissibility even among some vaccinated people; and

WHEREAS, due to uncertainty and concerns about recent COVID-19 variants and current conditions, many workplaces that had announced a return to regular in-person operations have pushed back the full return date; 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

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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 May 25, 2022.