



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

## Meeting Agenda - Final-revised

### Bay Area Toll Authority

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Wednesday, February 24, 2021

9:40 AM

Board Room – 1st Floor (REMOTE)

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The Bay Area Toll Authority is scheduled to meet on Wednesday, February 24, 2021 at 9:40 a.m., or immediately following the 9:35 a.m. Commission meeting, in the Bay Area Metro Center (Remotely). In light of Governor Newsom's State of Emergency declaration regarding the COVID-19 outbreak and in accordance with Executive Order N-29-20 issued by Governor Newsom on March 17, 2020 and the Guidance for Gatherings issued by the California Department of Public Health, the meeting will be conducted via webcast, teleconference, and Zoom for committee, commission, or board members who will participate in the meeting from individual remote locations. 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/89720308400>

iPhone One-tap: US: +14086380968,,89720308400# or +16699006833,,89720308400#

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: 897 2030 8400

International numbers available: <https://bayareametro.zoom.us/u/kmocljOW1>

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](mailto: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 voting members (10).*

**2. Chair's Report****3. Consent Calendar**

- 3a. [21-0164](#) Minutes of the January 27, 2021 meeting

Action: Authority Approval

Attachments: [5a - 21-0164 - Jan 27 BATA Draft Meeting Minutes.pdf](#)

**4. BATA Recovery Ad Hoc Working Group Report (Worth)**

[21-0165](#)

Action: Information

**5. Authority Approval**

- 5a. **21-0389** Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The Authority will meet in closed session pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding Michael Saliani, et al., v. BATA, et al., San Francisco Superior Court Case No. CGC-14-540384; Pamela Moore, et al. v. BATA, et al., San Francisco Superior Court Case No. CGC-15-549048; Kristen Freeland and Michael Jefferson, et al., v. BATA, et al., San Francisco Superior Court Case No. CGC-16-550947; and In re Toll Bridges Litigation, San Francisco Superior Court Case No. CGC-17-562613 (consolidated with San Francisco Superior Court Case No. CGC-18-56084).

- 5b. **21-0390** Open Session

**6. Public Comment / Other Business****7. Adjournment / Next Meeting**

**The next meeting of the Bay Area Toll Authority is scheduled to be held on Wednesday, March 24, 2021 at 9:35 a.m. remotely and by webcast. 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](http://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.

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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.



# Metropolitan Transportation Commission

375 Beale Street, Suite 800  
San Francisco, CA 94105

## Legislation Details (With Text)

**File #:** 21-0164      **Version:** 1      **Name:**  
**Type:** Minutes      **Status:** Authority Approval  
**File created:** 1/6/2021      **In control:** Bay Area Toll Authority  
**On agenda:** 2/24/2021      **Final action:**  
**Title:** Minutes of the January 27, 2021 meeting  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [5a - 21-0164 - Jan 27 BATA Draft Meeting Minutes.pdf](#)

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

**Recommended Action:**  
Authority Approval



## Meeting Minutes

### Bay Area Toll Authority

*Scott Haggerty, Chair    Alfredo Pedroza, Vice Chair*

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Wednesday, January 27, 2021

9:35 AM

Board Room – 1st Floor (REMOTE)

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#### Call Remote Meeting to Order

#### 1. Roll Call / Confirm Quorum

**Present:** 18 - Chair Haggerty, Vice Chair Pedroza, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

Non-Voting Commissioner Present: Commissioner Giacomini

Non-Voting Commissioner Absent: Commissioner El-Tawansy

#### 2. Pledge of Allegiance

#### 3. Compensation Announcement

#### 4. Chair's Report

#### 5. Consent Calendar

**Upon the motion by Commissioner Worth and the second by Commissioner Dutra-Vernaci, the Consent Calendar was unanimously approved by the following vote:**

**Aye:** 18 - Chair Haggerty, Vice Chair Pedroza, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

**5a.**     [21-0121](#)     Minutes of the December 16, 2020

**Action:** Authority Approval

#### 6. Bay Area Toll Authority Oversight Committee Report (Worth)

6a. [20-1721](#) BATA Resolution No. 142 - Authorizing the 2021 Plan of Finance.

A request that the Committee refer BATA Resolution No. 142 to the Authority for approval, authorizing the 2021 Plan of Finance.

**Action:** Authority Approval

**Presenter:** Brian Mayhew

**Upon the motion by Commissioner Worth and the second by Commissioner Dutra-Vernaci, the Authority unanimously adopted BATA Resolution No. 142. The motion carried by the following vote:**

**Aye:** 18 - Chair Haggerty, Vice Chair Pedroza, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Schaaf, Commissioner Spering and Commissioner Worth

## 7. BATA Recovery Ad Hoc Working Group Report (Worth)

Aleta Dupree was called to speak.

[21-0209](#)

**Action:** Information

## 8. Authority Approval

8a. [21-0228](#) Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The Authority met in closed session pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding Michael Salianni, et al., v. BATA, et al., San Francisco Superior Court Case No. CGC-14-540384; Pamela Moore, et al. v. BATA, et al., San Francisco Superior Court Case No. CGC-15-549048; and Kristen Freeland and Michael Jefferson, et al., v. BATA, et al., San Francisco Superior Court Case No. CGC-16-550947.

8b. [21-0229](#) Open Session

The Authority reconvened in open session. General Counsel, Kathleen Kane, reported that the Authority met pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to discuss the above litigation and there were no reportable actions.

## **9. Public Comment / Other Business**

Written public comments were received from Eric Reese and Aleta Dupree.

Roland Lebrun was called to speak.

[21-0258](#)

Public Comments

## **10. Adjournment / Next Meeting**

**The next meeting of the Bay Area Toll Authority is scheduled to be held on Wednesday, February 24, 2021 at 9:35 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105 (remotely and by webcast as appropriate depending on the status of any shelter in place orders).**



# Metropolitan Transportation Commission

375 Beale Street, Suite 800  
San Francisco, CA 94105

## Legislation Details (With Text)

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**File #:** 21-0165      **Version:** 1      **Name:**  
**Type:** Report      **Status:** Informational  
**File created:** 1/6/2021      **In control:** Bay Area Toll Authority  
**On agenda:** 2/24/2021      **Final action:**

**Title:**

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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**Recommended Action:**  
Information