



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

Meeting Minutes

Bay Area Toll Authority

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, September 23, 2020

9:35 AM

Board Room – 1st Floor (REMOTE)

Call Remote Meeting to Order

1. Roll Call / Confirm Quorum

Present: 17 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 1 - Commissioner Schaaf

Non-Voting Commissioners Present: Commissioner Giacomini, and Commissioner Stracner,
Non-Voting Commissioner Absent: Commissioner Tavares

2. Chair's Report

Agenda items 2a and 2b were continued until the next BATA meeting on October 28 so that Mr. McElhinney and Dr. Maroney can join via Zoom to receive BATA's virtual appreciation of their career accomplishments to improve the mobility and safety of the people of California.

- 2a.** [20-1418](#) BATA Resolution No. 138 - Resolution of Appreciation for former Caltrans District 4 Deputy (and former District 10 Director) Dan McElhinney

Action: Authority Approval

- 2b.** [20-1419](#) BATA Resolution No. 139 - Resolution of Appreciation for Caltrans' Seismic Program lead Brian Maroney

Action: Authority Approval

3. Consent Calendar

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

Aye: 17 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 1 - Commissioner Schaaf

3a. [20-1252](#) Minutes of the August 26, 2020 meeting.

Action: Authority Approval

4. Bay Area Toll Authority Oversight Committee Report (Worth)

4a. [20-1295](#) BATA Tolling:
i. BATA Resolution No. 52, Revised - FasTrak® Regional Customer Service Center Policy Revision to Support All Electronic Tolling at State-owned Bridges
ii. BATA Resolution No. 137 - Suspension of the Assessment of Violation Penalties on the State-owned Bridges

A request to approve BATA Resolution No. 52, Revised and BATA Resolution No. 137 to support conversion to all electronic tolling and to allow suspension of penalties for violation notices issued during the period while cash payment is not available on the state-owned bridges that started in March 2020.

Action: Authority Approval

Presenter: Andrew Fremier

Written public comment was received from Aleta Dupree.

Aleta Dupree was called to speak.

Upon the motion by Commissioner Worth and the second by Commissioner Dutra-Vernaci, the Authority unanimously adopted BATA Resolution No. 52, Revised and BATA Resolution No. 137. The motion carried by the following vote:

Aye: 17 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Cortese, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Slocum, Commissioner Sperling and Commissioner Worth

Absent: 1 - Commissioner Schaaf

5. BATA Recovery Ad Hoc Working Group Report (Worth)

Commissioner Worth reported that at the first meeting of the BATA Recovery Ad Hoc Working Group they reviewed the current fiscal condition of the BATA program and received an overview of the impacts of COVID-19 on operations and capital programs. She further reported that future meetings will be utilized to review these programs in depth and that the next meeting is scheduled for Monday, September 28, 2020, where the working group will be exploring in-depth the traffic operational challenges at and to the bridges.

[20-1392](#)

Action: Information

6. Authority Approval

- 6a. [20-1355](#) 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 Howard Jarvis Taxpayers Association, et al. vs. The Bay Area Toll Authority, et al., California Court of Appeals, 1st Appellate District Court Case No. A157598 (consolidated with Randall Whitney vs. Metropolitan Transportation Commission, California Court of Appeals, 1st Appellate District Court Case No. A157972).

- 6b. [20-1356](#) Open Session

Action: Authority Approval

The Authority reconvened in open session. General Counsel, Adrienne Weil, 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.

7. Public Comment / Other Business

8. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority is scheduled to be held on Wednesday, October 28, 2020 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).

