

**Bay Area Infrastructure Financing Authority
(BAIFA)**

November 17, 2021

Agenda Item 2d - 21-1575

Authorize General Counsel or Designee to Prepare Summaries of Proposed BAIFA Toll Facility Ordinance Amendments for Publication

Subject:

A request that the Authority authorize the General Counsel or designee to prepare summaries of proposed amendments to BAIFA's Toll Facility Ordinance for publication.

Background:

In July 2016, BAIFA adopted a toll ordinance, as required by statute, so that it could enforce toll violations on the I-680 Express Lanes in Contra Costa County. BAIFA's toll ordinance specifies its tolling rules and violation enforcement practices. Since then, BAIFA has amended its toll ordinance twice to add new express lanes and change select tolling rules. Now, staff is proposing to amend the toll ordinance to enable pilot projects, reduce violation penalties and define emergency powers. See staff memo for item 4b.

Preparation of Summaries for Publication

The process BAIFA followed to adopt its toll ordinance in 2016 and the subsequent two amendments was modeled to comply, by analogy, with the statutes governing county ordinances. One such statute, Government Code section 25124, requires that a proposed ordinance or amendment be published in the newspaper within 15 days after adoption. In lieu of publishing the entire proposed ordinance or amendment in the newspaper, subsection (b) of section 25124 authorizes that a summary be published, subject to the full text being posted on the internet website, among other requirements. One such requirement is that the board designate the official responsible for preparing the summary. Staff recommends that BAIFA authorize the General Counsel or designee to prepare the summary for this proposed amendment and any future proposed amendments.

Issues:

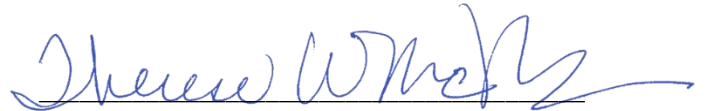
None identified.

Recommendations:

Staff requests the Authority authorize the General Counsel or designee to prepare summaries of the proposed amendment to the BAIFA Toll Facility Ordinance and any future proposed amendments for publication.

Attachments:

None.

A handwritten signature in blue ink, appearing to read "Therese W. McMillan", with a long horizontal flourish extending to the right.

Therese W. McMillan