

Date: June 26, 2019
Referred by: BATA Oversight
Revised: 07/24/19-BATA 10/23/19-BATA
11/20/19-BATA 11/15/23-BATA
10/23/24-BATA

ABSTRACT

BATA Resolution No. 131, Revised

This resolution establishes the Regional Measure 3 Independent Oversight Committee, as set forth in Section 30923(h) of the California Streets and Highways Code and approved by voters on the June 5, 2018 ballot.

Attachment A to this Resolution was revised on July 24, 2019 to update appointees.

Attachment A to the Resolution was revised on October 23, 2019 to update appointees.

Attachment A to the Resolution was revised on November 20, 2019 to update appointees.

Attachment A to the Resolution was revised on November 15, 2023 to update appointees.

Attachment B to the Resolution was revised on November 15, 2023 to update the title of the administrator.

Attachment A to the Resolution was revised on October 23, 2024 to update appointees.

Further discussion of this resolution is contained in the BATA Oversight Committee Summary Sheets dated June 12, 2019, July 10, 2019, October 9, 2019, November 13, 2019, November 8, 2023, and October 9, 2024.

Date: June 26, 2019
Referred by: BATA Oversight

Re: Regional Measure 3 Independent Oversight Committee

BAY AREA TOLL AUTHORITY
RESOLUTION NO. 131

WHEREAS, on June 5, 2018, a special election was held in the City and County of San Francisco, and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma (individually, each a “County” and, collectively, the “Counties”) to approve a toll increase of three dollars (\$3.00) phased in over time, including a one dollar (\$1.00) toll increase on January 1, 2019, a one dollar (\$1.00) toll increase on January 1, 2022, and a one dollar (\$1.00) toll increase on January 1, 2025, for vehicles traveling on the state-owned bridges located in the San Francisco Bay Area (“Regional Measure 3”); and

WHEREAS, on September 26, 2018, the Bay Area Toll Authority (“Authority”) adopted Resolution No. 126 accepting certified statements from the Registrar of Voters of the City and County of San Francisco and each of the Counties and observing that a majority of all voters voting on Regional Measure 3 at such special election voted affirmatively for Regional Measure 3; and

WHEREAS, on December 19, 2018, the Authority adopted Resolution No. 128 adopting a toll schedule phasing in the toll increase approved pursuant to Regional Measure 3, effective on January 1, 2019; and

WHEREAS, in accordance with subsection (h) of Section 30923 of the California Streets and Highways Code (“SHC”), the Authority shall, within six months of the effective date of the toll increase, establish an independent oversight committee, with specified composition and duties; now, therefore, be it

RESOLVED, that the Authority specifically finds and declares that the statements, findings and determinations of the Authority set forth in the preambles above are true and correct; and be it further

RESOLVED, that pursuant to SHC § 30923(h), the Authority hereby establishes the Regional Measure 3 Independent Oversight Committee (“Committee”); and be it further

RESOLVED, that the Committee shall annually review the expenditure of funds by the Authority for the projects and programs specified in SHC § 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings, and that the Committee may request any documents from the Authority to assist the Committee in performing its functions; and be it further

RESOLVED, that pursuant to SHC § 30923(h)(2), the Committee shall include two representatives from each county within the jurisdiction of the Metropolitan Transportation Commission (the “Commission”), and each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and be limited to two terms; and be it further

RESOLVED, that pursuant to SHC § 30923(h)(3), a representative appointed to the Committee shall not be a member, former member, staff, or former staff of the Commission or the Authority, shall not be employed by any organization or person that has received or is receiving funding from the Commission or the Authority, and shall not be a former employee or a person who has contracted with any organization or person that has received or is receiving funding from the Commission or the Authority within one year of having worked for or contracted with that organization or person; and be it further

RESOLVED, that the Committee roster, as appointed by the applicable county board of supervisors, is contained in Attachment A to this resolution; and be it further

RESOLVED, that the travel reimbursement rate and stipend policy for members of the Committee is contained in Attachment B to this resolution; and be it further

RESOLVED, that the Chair of the Authority, the Vice Chair of the Authority, the Executive Director, the Chief Financial Officer and other appropriate officers and staff of the Authority, are hereby authorized and directed, jointly and severally, for and in the name and on behalf of the Authority, to do any and all things that they deem necessary or advisable in order to effectuate the purposes of this Resolution in accordance with the terms hereof and of applicable provisions of law.

BAY AREA TOLL AUTHORITY

Scott Haggerty, Chair

The above resolution was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in San Francisco, California, on June 26, 2019.

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Attachment A
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Regional Measure 3 Independent Oversight Committee Membership 2019-2023

| County | Member Name | Term Length | Term No. |
|---------------|--|-----------------------|-----------------|
| Alameda | Anu Natarajan | July 2019 – June 2023 | First |
| Alameda | William Harrison | July 2019 – June 2023 | First |
| Contra Costa | Nazanin Shakerin | July 2019 – June 2023 | First |
| Contra Costa | Kathy Chang | July 2019 – June 2023 | First |
| Marin | Kevin Hagerty | July 2019 – June 2023 | First |
| Marin | William McNicholas | July 2019 – June 2023 | First |
| Napa | David Bailey | July 2019 – June 2023 | First |
| Napa | Pamela Kindig | July 2019 – June 2023 | First |
| San Francisco | <i>To be appointed by Board of Supervisors</i> | July 2019 – June 2023 | First |
| San Francisco | <i>To be appointed by Board of Supervisors</i> | July 2019 – June 2023 | First |
| San Mateo | Frederick A. Hansson | July 2019 – June 2023 | First |
| San Mateo | Pam Frisella | July 2019 – June 2023 | First |
| Santa Clara | Joanne Benjamin | July 2019 – June 2023 | First |
| Santa Clara | David Fung | July 2019 – June 2023 | First |
| Solano | Steve Lessler | July 2019 – June 2023 | First |
| Solano | William G. Jerry Hayes | July 2019 – June 2023 | First |
| Sonoma | <i>To be appointed by Board of Supervisors</i> | July 2019 – June 2023 | First |
| Sonoma | <i>To be appointed by Board of Supervisors</i> | July 2019 – June 2023 | First |

Regional Measure 3 Independent Oversight Committee Membership 2023-2027

| County | Member Name | Term Length | Term No.¹ |
|---------------|--|-----------------------|-----------------------------|
| Alameda | Anu Natarajan | July 2023 – June 2027 | First |
| Alameda | Tim Ambrose | July 2023 – June 2027 | First |
| Contra Costa | Nazanin Shakerin ² | July 2023 – June 2027 | First |
| Contra Costa | Kathy Chang ² | July 2023 – June 2027 | First |
| Marin | Kevin Hagerty | July 2023 – June 2027 | First |
| Marin | Joanne Webster | July 2023 – June 2027 | First |
| Napa | Aisha Nasir ² | July 2023 – June 2027 | First |
| Napa | Pamela Kindig | July 2023 – June 2027 | First |
| San Francisco | Brian David Shaw | July 2023 – June 2027 | First |
| San Francisco | <i>To be appointed by Board of Supervisors</i> | July 2023 – June 2027 | First |
| San Mateo | Frederick A. Hansson | July 2023 – June 2027 | First |
| San Mateo | <i>To be appointed by Board of Supervisors²</i> | July 2023 – June 2027 | First |
| Santa Clara | <i>To be appointed by Board of Supervisors</i> | July 2023 – June 2027 | First |
| Santa Clara | <i>To be appointed by Board of Supervisors</i> | July 2023 – June 2027 | First |
| Solano | William G. Jerry Hayes | July 2023 – June 2027 | First |
| Solano | <i>To be appointed by Board of Supervisors²</i> | July 2023 – June 2027 | First |
| Sonoma | John Maitland | July 2023 – June 2027 | First |
| Sonoma | Steve Birdlebough | July 2023 – June 2027 | First |

Notes

1. The IOC did not meet during the 2019-2023 term due to ongoing litigation and no expenditure of RM3 funds. Therefore, for any reappointees for the 2023-2027 term, the 2023-2027 term shall count as the first term for the purposes of fulfilling term limits in SHC 30923(h)(2).
2. In October 2024, the roster for this term was updated to add two new appointees from Contra Costa County, to remove members who resigned from San Mateo County and Solano County, and to replace one member who resigned from Napa County with a new appointee from the County.

Date: June 26, 2019
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10/23/24-BATA

Attachment B
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Travel Reimbursement Rate and Stipend for Members of the Regional Measure 3 Independent Oversight Committee

1. Individual members of the Regional Measure 3 Independent Oversight Committee (“Committee”) appointed by county boards of supervisors shall each be eligible to receive a stipend of \$50 per meeting of the Committee, as defined below, with a maximum of four meetings per year. Meetings are defined as publicly noticed meetings or subcommittee meetings of the Committee.
2. Members of the Committee may be reimbursed for actual travel expenses, as defined below, for a maximum of four meetings per year.
3. The mileage reimbursement rate is the rate allowable by the Internal Revenue Service when a personal vehicle is used. Related bridge tolls, parking fees and actual expenses for use of public transit will be reimbursed.

All requests for stipend and reimbursement of expenses shall be submitted quarterly to the Committee staff liaison and processed according to the procedures established by MTC's Executive Director.

The MTC Chief Deputy Executive Director, shall administer this Attachment B. Any questions regarding its application shall be decided by the MTC Chief Deputy Executive Director, whose decision shall be final.