

**Bay Area Toll Authority**  
**Oversight Committee**

November 8, 2023

Agenda Item 4f - 23-1322

**BATA Resolution No. 131, Revised.**

**Regional Measure 3 (RM3) Independent Oversight Committee Updates**

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**Subject:**

A request that BATA Resolution No. 131, Revised, adopting updates to Membership of the Regional Measure 3 Independent Oversight Committee, be referred to the Authority for approval.

**Background:**

In June 2019, BATA adopted Resolution No. 131, establishing the Regional Measure 3 (RM3) Independent Oversight Committee. The California Streets and Highways Code Section 30923(h)(2) requires the Independent Oversight Committee to be composed of two representatives from each county within the jurisdiction of the Metropolitan Transportation Commission, to be appointed by the applicable county Board of Supervisors to serve a four-year term, limited to two terms.

This resolution was revised several times in 2019 to add appointees to the roster for the four-year term from July 2019 through June 2023 as they were received from county Boards of Supervisors. Due to the litigation involving RM3 that was not resolved until 2023, the Independent Oversight Committee was not convened, as no RM3 expenditures were made during the period.

For the four-year term for July 2023 through June 2027, staff sent letters to the Boards of Supervisors of each county requesting the names of two individuals appointed to the Independent Oversight Committee. These requests noted that previous representatives may be re-appointed, and further, that it is the opinion of BATA that the July 2019 – June 2023 term shall not count toward the two-term limit for a given representative as the committee had not been convened during the period.

According to statute, members of the committee cannot be current or former members or staff of MTC or BATA, current employees of an organization or person that has ever received funds from MTC or BATA, or previous employees or contractors of an organization or person that has ever received funds from MTC or BATA within one year of having worked for or contracted with that organization.

Two appointees have been received from each of Alameda, Marin, Napa, San Mateo, Solano, and Sonoma counties, and one appointee has been received from San Francisco County. These appointees are listed in Attachment A to the resolution. As appointments are received for the remaining roster spots (two from each of Contra Costa and Santa Clara counties, and one from San Francisco County), this resolution will be further updated.

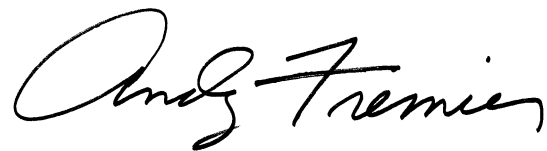
With RM3 operating program allocations having commenced in May 2023 and capital allocations in June 2023, the Independent Oversight Committee is expected to convene in the coming months to begin work on its mandate to annually review the expenditure of RM3 funds and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings.

**Recommendations:**

That BATA Resolution No. 131, Revised, be referred to the Authority for approval.

**Attachments:**

- BATA Resolution No. 131, Revised
- Correspondence from counties appointing members to Independent Oversight Committee



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Andrew B. Fremier