



June 5, 2023

Andrew B. Fremier
Executive Director
Bay Area Toll Authority
Bay Area Metro Center
375 Beale Street, Suite 800
San Francisco, CA 94105

Dear Mr. Fremier:

On behalf of the County of San Mateo Board of Supervisors, this letter appoints the following individuals to the Regional Measure 3 Independent Oversight Committee, per your request dated April 4, 2023, and per Board action on May 23, 2023:

- Pam Frisella, for a term ending June 30, 2027
- Frederick A. Hansson, for a term ending June 30, 2027

This letter also certifies that the above-named individuals are eligible to serve on the committee according to the restrictions listed in California Streets and Highways Code Section 30923(h)(3), which states regarding the Metropolitan Transportation Commission ("commission") and Bay Area Toll Authority ("authority"):

"A representative appointed to the oversight 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."

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Pine".

Dave Pine
President, Board of Supervisors
County of San Mateo



County of San Mateo

Inter-Departmental Correspondence

Department: BOARD OF SUPERVISORS
DISTRICT 1
File #: 23-358

Board Meeting Date: 5/23/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Supervisor Dave Pine, District 1
Subject: Appointments to the Bay Area Toll Authority's Regional Measure 3 Independent Oversight Committee

RECOMMENDATION:

Recommendation to appoint Pam Frisella and Frederick A. Hansson to the Bay Area Toll Authority's ("BATA's") Regional Measure 3 Independent Oversight Committee, each for terms ending June 30, 2027.

BACKGROUND:

On June 5, 2018, voters in the nine Bay Area counties approved Regional Measure 3 ("RM 3"), a proposed increase to toll rates on state-owned bridges in the region. RM 3 authorized toll increases of up to three dollars (\$3) to be phased in one dollar at a time over the course of six years. Effective January 1, 2019, the base toll rate on these bridges was increased by one dollar.

SB 595 also required, if voters approved the RM3 toll increase, that the Authority establish an independent oversight committee within six months of the effective date of the toll increase (*i.e.*, on or before July 1, 2019). This committee is subject to the Brown Act.

DISCUSSION:

SB 595 sets forth the following provisions regarding the functions and membership of the independent oversight committee (the "Oversight Committee") (Streets and Highways Code Section 30923 (h)):

- The purpose of the Oversight Committee is to ensure that any toll revenues generated pursuant to the RM3 toll increase are expended consistent with the applicable requirements of the RM3 expenditure plan set forth in Streets and Highways Code Section 30914.7;
- The Oversight Committee shall include two representatives from each county within the jurisdiction of the commission;
- Each representative shall be appointed by the applicable county board of supervisors and serve a four-year term and shall be limited to two terms;
- The Oversight Committee shall annually review the expenditure of funds by the Authority for

- the projects and programs specified in Section 30914.7 and prepare and submit a report to the transportation committee of each house of the Legislature summarizing its findings; and
- The Oversight Committee may request any documents from the Authority to assist the committee in performing its functions.

In order for the Oversight Committee to carry out its work, the Authority has indicated that it anticipates providing the following support functions to the Oversight Committee:

- Making meeting space available at the Bay Area Metro Center;
- Providing general administrative and clerk support; and
- Providing a stipend to members for meeting attendance.

The Authority has indicated that it anticipates that committee matters such as meeting dates, frequency, and length will be established by the members of the committee.

BATA established the RM3 independent oversight committee on June 26, 2019. Concurrently, BATA requested county boards of supervisors to appoint representatives to the committee. Received appointees were added to the committee roster by BATA resolution in July, October, and November of 2019, all for a four-year term from July 2019 through June 2023.

RM3 was the subject of litigation that reached its final resolution when the state Supreme Court dismissed challenges against the measure in January 2023, followed by the issuance of final procedural orders by the Court of Appeal in February. During the more than four years under which RM3 was in litigation, BATA implemented toll increases according to the RM3 schedule, but all collected RM3 tolls were placed in an escrow account, and no allocations have been made, nor have funds have been expended. Consequently, the independent oversight committee has not been convened to date. The Metropolitan Transportation Commission (“MTC”) has not yet begun allocating RM3 funds to projects in the expenditure plan but anticipates that allocations will be made in the coming months, with expenditures of RM3 funds following.

Accordingly, BATA is requesting appointments to the committee for four-year terms from July 2023 through June 2027. Previous representatives may be re-appointed; further, 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 has not been convened, and is not expected to be convened, during that timeframe.

In 2019, the Board appointed Pam Frisella and Frederick A. Hansson to the Oversight Committee. Due to the litigation described above, they were unable to serve in these assignments. It is recommended that the Board re-appoint them to this committee.

Pam Frisella is a former two-time Mayor of Foster City, having been elected to the City Council in 2005 and re-elected in 2009. Ms. Frisella is a board member of the San Mateo Police Activities League, Foster City Village and the LEMO Foundation in RWC. She is newly elected President of Foster City Village. She is also a Program Committee Member for the Service League of San Mateo County and a Member of Advisory Board of Samaritan House. Pam is member of Rotary Club of Foster City.

Frederick A. Hansson is a long-time resident of the City of San Mateo. Mr. Hansson has been active in the City of San Mateo by holding a succession of public offices, including Councilmember, Planning Commissioner, and Public Works Commissioner. He currently serves on the San Mateo

County Planning Commission. He has also had an extensive history of community involvement on land use advisory boards and is actively assisting in procuring a grant for San Mateo County's Ohlone-Portola Heritage Trail project.

FISCAL IMPACT:

None.