



## Agenda Submittal

**Agenda #:** 24 **Status:** Regular Calendar  
**Type:** Appointment **Department:** Clerk of the Board of Supervisors  
**File #:** 19-392 **Contact:** Jeanette Neiger, 784-6125  
**Agenda date:** 5/14/2019 **Final action:** 5/14/2019  
**Title:** Consider the appointment of two representatives to serve for 4 year terms on the Regional Measure 3 Independent Oversight Committee; And/or direct the Clerk of the Board to conduct a selection process for candidates for the Board's consideration in June  
**Governing body:** Board of Supervisors  
**District:** All  
**Attachments:** 1. A - BATA Request Letter, 2. Minute Order

Date	Ver.	Action By	Action	Result
5/14/2019	1	Board of Supervisors	Approved	

Published Notice Required? Yes ☐ No ☒  
Public Hearing Required? Yes ☐ No ☒

### DEPARTMENTAL RECOMMENDATION:

It is recommended that the Board of Supervisors appoint two representatives to serve for 4 year terms on the Regional Measure 3 Independent Oversight Committee and/or direct the Clerk of the Board to conduct a selection process for candidates for the Board to consider for appointment at a meeting in June.

### SUMMARY/DISCUSSION:

Solano County received the attached letter from the Bay Area Toll Authority requesting that the Board of Supervisors appoint two representatives to serve for 4 year terms on the Regional Measure 3 Independent Oversight Committee.

As stated in the letter, Senate Bill 595 (SB 595) required the nine Bay Area counties to conduct a special election, known as Regional Measure 3 (RM3), on a proposed increase to toll rates on state-owned bridges in the region. This election took place on June 5, 2018, with voters approving a \$3 toll increase, phased in one dollar at a time over the course of six years. SB 595 also required that the Bay Area Toll Authority (BATA) establish an independent oversight committee within six months of the effective date of the toll increase. BATA will establish the RM3 independent oversight committee by July 1, 2019. This committee will be subject to the Brown Act.

SB 595 specifies the following regarding the functions and membership of the independent oversight committee (Streets and Highways Code Section 30923 (h)):

- BATA shall establish an independent oversight committee 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 BATA 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.
- The oversight committee may request any documents from BATA to assist the committee in performing its functions.

In addition to SB 595 and the voter approved ballot measure, an amendment to the law established eligibility restrictions for the committees/appointees/members:

- A representative appointed to the oversight committee shall not be a member, former member, staff, or former staff of the Metropolitan Transportation Commission (MTC) or BATA
- A representative shall not be employed by any organization or person that has received or is receiving funding from MTC or BATA, and
- A representative 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 MTC or BATA within one year of having worked for or contracted with that organization or person. (See Streets and Highways Code Section 30923 (h) (3).

Further, BATA anticipates providing the following support functions to the committee:

- Making meeting space available at the Bay Area Metro Center in San Francisco
- General administrative and clerk support
- Stipend to members for meeting attendance

BATA anticipates that committee matters such as meeting dates, frequency, and length will be established by the members of the committee. BATA has requested that the names of two individuals from Solano County appointed by the Board to the RM3 Independent Oversight Committee be provided within sixty (60) days.

#### **FINANCIAL IMPACT:**

The costs associated with preparing the agenda item are nominal and absorbed by the County Administrator's FY2018/19 Adopted Budget.

#### **ALTERNATIVES:**

The Board has the option to do the following:

1. Directly appoint two representatives to the committee; or
2. Direct the Clerk of the Board to conduct a selection process to provide names of interested and qualified individuals for the Board to consider at a regular meeting in June; or
3. Not to make an appointment to the RM3 Independent Oversight Committee, however this is not recommended as the appointment is an opportunity for Solano County to participate in the oversight of the revenues generated by the measure.

#### **OTHER AGENCY INVOLVEMENT:**

None.

#### **CAO RECOMMENDATION:**

### **APPROVE DEPARTMENTAL RECOMMENDATION**