



Contra Costa County Board of Supervisors

Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

Meeting Date: 07/18/2019

Subject: Receive update on the recruitment effort for Contra Costa appointments to the Regional Measure 3 Independent Oversight Committee.

Submitted For: TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE,

Department: Conservation & Development

Referral No.: 1

Referral Name: Review legislative matters on transportation, water, and infrastructure

Presenter: Colin Piethe **Contact:** Colin Piethe (925) 674-7755

Referral History:

This item was referred to the Committee by the Board of Supervisors on July 9, 2019. This is the first time the Committee has taken this issue up.

Referral Update:

Background: 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 three dollar toll increase, 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. Due to ongoing lawsuits against the measure, collected RM3 revenue is currently being held in an escrow account.

SB 595 also required, if voters approved the RM3 toll increase, that the Bay Area Toll Authority (BATA) establish an independent oversight committee within six months of the effective date of the toll increase.

Therefore, 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, an amendment to the law specifies eligibility restrictions for the committee: 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, shall not be employed by any organization or person that has received

or is receiving funding from MTC or BATA, 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 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
- 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. The County was asked to notify BATA in writing within sixty (60) days from BATA's initial request (May 3, 2019) with the name of two individuals from Contra Costa County appointed by the Board to the RM3 Independent Oversight Committee.

Update:

Per the Maddy Act (Government Code 54970), the County shall give its residents equal opportunity to participate in this recruitment process. To make this process public and easily accessible, staff recommends, per guidance from the Clerk of the Board, TWIC should open its application window for a minimum of two weeks and accept applications online, via mail, and in-person delivery. Staff recommends opening the application window for 25 days; until the next TWIC meeting.

An online application form [has been set up](#). From the link below, select the "Apply Online!" link and select RM3 in the "Boards and Interest" drop down menu:

<http://www.co.contra-costa.ca.us/3418/Appointed-Bodies-Committees-and-Commissi>

Staff intends on distributing the press release through the following channels:

- Public posting outside of Clerk of the Board Office
- Supervisorial District Office Newsletters
- County Website and Department of Conservation and Development Website
- County Facebook page

BATA is requesting that Counties provide names of representatives prior to their September 2nd Board Meeting. Staff recommends pursuing the following schedule to meet this deadline:

Date	Action
7/18/19	Publish press release detailing the recruitment, set deadline for 8/12/19
7/18/19 – 8/12/19	TWIC and staff advertise the recruitment, contact relevant groups and networks to share the announcement
8/12/19	Review applications and make recommendations to the full BOS at the 8/12/19 TWIC meeting
9/2/19	BATA Board Meeting and preferred deadline for submitting appointed members
9/10/19	BOS meeting to consider TWIC recommendations and to appoint members
TBD	Submit representatives' names prior to October BATA Board Meeting (not published on MTC calendar, though meetings are usually held the 4 th Wednesday of each month)

Staff is seeking input from the Committee on how to expand and enhance the recruitment effort, specifically feedback on:

1. The proposed schedule
 - a. Staff is consulting with BATA staff regarding the need to make a temporary, interim appointment in order to meet the 9/2 deadline.
2. Additional recruitment/outreach methods
3. Suggestions for application form revisions
4. The criteria or process by which TWIC and the Board of Supervisors will use to make selections and recommendations?

Recommendations/Next Step(s):

RECEIVE update from staff on the recruitment effort for the two Contra Costa County appointments to the Regional Measure 3 Independent Oversight Committee, and DIRECT staff as appropriate.

Fiscal Impact (if any):

N/A

Attachments

7/9/19 BOS referral to TWIC

Bay Area Toll Authority letter to John Gioia
