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Deputy Executive Director
Local Government Services

May 3, 2019

The Honorable John Gioia
Chair, Contra Costa County Board of Supervisors
651 Pine Street, Room 106
Martinez, CA 94553-1229

RE: Amended Request for Regional Measure 3 Independent Oversight Committee
Representatives from Contra Costa County

Dear Supervisor Gioia:

This letter presents additional information regarding the request for representatives, in follow up to related correspondence sent to you on May 1. Please see below for further details including a new section on page 2 containing information that was inadvertently omitted from the original 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 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.

Please notify BATA in writing within sixty (60) days with the name of two individuals from Contra Costa County appointed by your board to the RM3 Independent Oversight Committee. Thank you for your assistance in the implementation of Regional Measure 3. Please contact Kimberly Ward at (415) 778-5367 with any questions, and do not hesitate to contact me for further discussion.

Sincerely,



Therese W. McMillan
Executive Director

cc: Clerk of the Board of Supervisors

TM:cb

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