



**Contra
Costa
County**

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 9, 2019

Subject: REFERRAL TO THE TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE FOR RECRUITMENT
OF INDEPENDENT OVERSIGHT CTE REPRESENTATIVES FOR REGIONAL MEASURE 3

RECOMMENDATION(S):

REFER to the Transportation, Water & Infrastructure Committee the recruitment of individuals to represent Contra Costa County on the Regional Measure 3 (Bridge Tolls) Independent Oversight Committee, as recommended by Supervisor Gioia.

FISCAL IMPACT:

No fiscal impact to the County. Stipends to committee members will be paid by the Bay Area Toll Authority.

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.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/09/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Diane Burgis, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 9, 2019

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Julie DiMaggio Enea (925)
335-1077

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.

BACKGROUND: (CONT'D)

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 is asked to notify BATA in writing within sixty (60) days with the name of two individuals from Contra Costa County appointed by the Board to the RM3 Independent Oversight Committee. It is recommended that this matter be referred to the Transportation, Water & Infrastructure Committee to allow recruitment to begin as soon as possible.