



Meeting Minutes

Bay Area Toll Authority

Scott Haggerty, Chair Alfredo Pedroza, Vice Chair

Wednesday, October 28, 2020

9:35 AM

Board Room – 1st Floor (REMOTE)

Call Remote Meeting to Order

1. Roll Call / Confirm Quorum

Present: 14 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spring and Commissioner Worth

Absent: 4 - Commissioner Cortese, Commissioner Glover, Commissioner Schaaf and Commissioner Slocum

Non-Voting Commissioners Present: Commissioner Giacomini and Commissioner Stracner

Non-Voting Commissioner Absent: Commissioner Tavares

2. Pledge of Allegiance

3. Compensation Announcement

4. Chair's Report (Haggerty)

4a. [20-1418](#) BATA Resolution No. 138 - Resolution of Appreciation for former Caltrans District 4 Deputy (and former District 10 Director) Dan McElhinney

Action: Authority Approval

Ken Bukowski was called to speak.

Upon the motion by Commissioner Worth and the second by Commissioner Mackenzie, the Authority unanimously adopted BATA Resolution No. 138. The motion carried by the following vote:

Aye: 14 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spring and Commissioner Worth

Absent: 4 - Commissioner Cortese, Commissioner Glover, Commissioner Schaaf and Commissioner Slocum

4b. [20-1419](#) BATA Resolution No. 139 - Resolution of Appreciation for Caltrans' Seismic Program lead Brian Maroney

Action: Authority Approval

Upon the motion by Commissioner Worth and the second by Commissioner Mackenzie, the Authority unanimously adopted BATA Resolution No. 139. The motion carried by the following vote:

Aye: 14 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 4 - Commissioner Cortese, Commissioner Glover, Commissioner Schaaf and Commissioner Slocum

4c. [20-1517](#) BATA Resolution No. 140 - Resolution of Appreciation for Caltrans' Staff Ken Brown

Action: Authority Approval

Upon the motion by Commissioner Worth and the second by Commissioner Mackenzie, the Authority unanimously adopted BATA Resolution No. 140. The motion carried by the following vote:

Aye: 14 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 4 - Commissioner Cortese, Commissioner Glover, Commissioner Schaaf and Commissioner Slocum

5. Consent Calendar

Upon the motion by Commissioner Mackenzie and seconded by Commissioner Bruins, the Consent Calendar was unanimously approved by the following vote:

Aye: 14 - Chair Haggerty, Vice Chair Pedroza, Commissioner Ahn, Commissioner Bruins, Commissioner Connolly, Commissioner Dutra-Vernaci, Commissioner Josefowitz, Commissioner Liccardo, Commissioner Mackenzie, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen, Commissioner Spering and Commissioner Worth

Absent: 4 - Commissioner Cortese, Commissioner Glover, Commissioner Schaaf and Commissioner Slocum

5a. [20-1405](#) Minutes of the September 23, 2020 meeting

Action: Authority Approval

6. BATA Recovery Ad Hoc Working Group Report (Worth)

[20-1552](#)

Action: Information

7. Authority Approval

7a. [20-1497](#) Closed Session - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

The Authority met in closed session pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to confer with counsel regarding:

(i) Michael Salianni, et al., v. BATA, et al., San Francisco Superior Court Case No. CGC-14-540384; Pamela Moore, et al. v. BATA, et al., San Francisco Superior Court Case No. CGC-15-549048; Kristen Freeland and Michael Jefferson, et al., v. BATA, et al., San Francisco Superior Court Case No. CGC-16-550947; and In re Toll Bridges Litigation, San Francisco Superior Court Case No. CGC-17-562613 (consolidated with San Francisco Superior Court Case No. CGC-18-56084); and

(ii) Howard Jarvis Taxpayers Association, et al. vs. The Bay Area Toll Authority, et al., California Supreme Court Case No. S263835; California Court of Appeals, 1st Appellate District Court Case No. A157598 (consolidated with Randall Whitney vs. Metropolitan Transportation Commission, California Court of Appeals, 1st Appellate District Court Case No. A157972).

7b. [20-1498](#) Open Session

The Authority reconvened in open session. General Counsel, Adrienne Weil, reported that the Authority met pursuant to Government Code Section 54956.9(a) and paragraph (1) of subdivision (d) of Government Code Section 54956.9 to discuss the above litigation and there were no reportable actions.

8. Public Comment / Other Business

9. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority is scheduled to be held on *Friday, November 20, 2020 at 9:35 a.m.*** at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA 94105 (remotely and by webcast as appropriate depending on the status of any shelter in place orders).**