

13 MAY 15 PM 4:21

## OAKLAND CITY COUNCIL

RESOLUTION No. 84419 C.M.S.

INTRODUCED BY COUNCIL PRESIDENT PATRICIA KERNIGHAN

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**RESOLUTION IN SUPPORT OF SB 613 (DESAULNIER), TOLL REVENUE EXPENDITURES, WHICH WOULD IMPOSE CERTAIN LIMITATIONS ON THE USE OF TOLL REVENUES FROM THE SEVEN STATE-OWNED TOLL BRIDGES IN THE SAN FRANCISCO BAY AREA THAT ARE WITHIN THE JURISDICTION OF THE BAY AREA TOLL AUTHORITY**

**WHEREAS**, existing law created the Bay Area Toll Authority (BATA) with specified powers and duties relative to the administration of certain toll revenues from the seven state-owned toll bridges within BATA's geographic jurisdiction; and

**WHEREAS**, existing law authorizes BATA to do all acts necessary or convenient for the exercise of its powers and the financing of projects, including the authorization to acquire, construct, manage, maintain, lease or operate any public facility or improvements and to invest any money not required for immediate necessities as it deems advisable; and

**WHEREAS**, existing law authorizes BATA to make contributions in furtherance of the exercise of BATA's powers to the Metropolitan Transportation Commission (MTC), which is the regional transportation planning agency for the San Francisco Bay Area and whose board also governs BATA; and

**WHEREAS**, in 2009 AB 1175 authorized BATA to increase tolls on the seven state-owned bridges in the Bay Area, without obtaining voter approval, in order to complete the seismic safety retrofit program; and in 2010 BATA increased bridge tolls, stating that the increase was necessary to cope with declining traffic volumes and higher than projected debt and operating costs; and

**WHEREAS**, in 2011 MTC and BATA created a joint powers authority called Bay Area Headquarters Authority (BAHA) to plan, acquire and develop shared office space for them; in October 2011 BAHA purchased a building at 390 Main Street in San Francisco, using toll revenues from the state-owned toll bridges, with the purpose of housing MTC, BATA, Bay Area Air Quality Management District and Association of Bay Area Governments to serve as their regional headquarters; and

**WHEREAS**, by this purchase MTC and BATA effectively entered the real estate business, and became commercial landlords as a result of the office space exceeding the needs of the co-locating tenants; and

**WHEREAS**, SB 613 would prohibit BATA from purchasing or otherwise acquiring office space and office facilities in addition to the office space and office facilities located at 390 Main Street; and

**WHEREAS**, SB 613 would limit direct contributions by BATA to MTC by requiring that they be made on a reimbursement-for-cost basis in the form of a loan to be repaid at a specified interest rate, and would limit the amount of such loans to 1% of gross annual toll bridge revenues; now therefore be it

**RESOLVED:** that the Oakland City Council supports SB 613's imposition of certain limitations on BATA's use of toll revenues from the seven state-owned toll bridges in the San Francisco Bay Area by prohibiting investment in real property of reserve fund revenues and toll revenues not immediately needed by BATA, and by limiting BATA to only acquiring, constructing, managing, maintaining, leasing and/or operating facilities that are required solely for the management of the state-owned bridges within their jurisdiction; and be it

**FURTHER RESOLVED:** that the Oakland City Council hereby directs the City Administrator to instruct the City's legislative lobbyist to advocate for the above position in the California State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA,

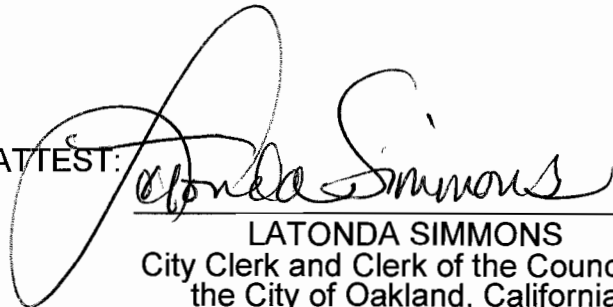
JUN 4 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF,  
AND PRESIDENT KERNIGHAN - 8

NOES - 0  
ABSENT - 0  
ABSTENTION - 0

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California