

Mark Baker
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Pro Se

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
SAN FRANCISCO COUNTY

MARK BAKER,

Petitioner,

vs.

BAY AREA TOLL AUTHORITY,
METROPOLITAN TRANSPORTATION
COMMISSION, CALIFORNIA DEPARTMENT
OF TRANSPORTATION, FEDERAL
HIGHWAY ADMINISTRATION, AND DOES
1-20

Respondents.

ILLUMINATE, AND DOES 21-40

Real Parties in Interest.

Case No.: CPF-24-518814

PETITIONER'S OPPOSITION TO STATE OF
CALIFORNIA DEPARTMENT OF
TRANSPORTATION'S DEMURRER

[Action Under the California Environmental
Quality Act]

DATE: April 21, 2025
TIME: 2:00PM
DEPARTMENT: 606

COMPLAINT FILED: DECEMBER 16, 2024
TRIAL DATE: NOT YET SET

1. Petitioner Mark Baker ("Mr. Baker), opposes Demurrer of Respondent State of
California Department of Transportation ("Caltrans"), dated March 3, 2025, as follows:

I. RESPONSES

1 **A. Joinder with MTC/BATA Demurrer**

- 2 2. In conjunction with RESPONDENT STATE OF CALIFORNIA DEPARTMENT OF
3 TRANSPORTATION’S NOTICE OF JOINDER IN DEMURRER OF RESPONDENTS
4 BAY AREA TOLL AUTHORITY AND METROPOLITAN TRANSPORTATION
5 COMMISSION, Petitioner hereby incorporates by reference PETITIONER’S RESPONSE TO
6 BAY AREA TOLL AUTHORITY AND METROPOLITAN TRANSPORTATION
7 COMMISSIONS’ DEMURRER. (“Resp.”)

8
9 **B. Allegation: Petitioner fails to establish standing for his requested writ(s) of mandate.**

- 10 3. The general rule requiring a beneficial interest to establish standing is subject to a
11 ““public right/public duty”” exception. [*Tobe v. City of Santa Ana* (1995)]. The public
12 right/public duty exception applies where the question is one of public right and the object of
13 the mandamus is to procure the enforcement of a public duty. (Id. at p. 1117.) In *Tobe*, citing
14 *Green v. Obledo*, the Court wrote, "where the question is one of public right and the object of
15 the mandamus is to procure the enforcement of a public duty, the relator need not show that he
16 has any legal or special interest in the result, since it is sufficient that he is interested as a
17 citizen in having the laws executed and the duty in question enforced". (Ibid.)

- 18 4. In this case, the Petitioner is interested in having MTC/BATA and Caltrans comply with
19 CEQA, NEPA, the ADA, Section 504, and Equal Protection Clause, which Respondents have
20 failed to do, and thus the ‘public right/public duty’ exception to the beneficial interest standing
21 requirement applies and the Petitioner has standing to sue in this case. Caltrans’ demurrer
22 should be denied.

23 **C. Allegation: Demurrer is proper because the Petition is vague and uncertain.**

1
2 5. Caltrans' claim that the Petition is vague and uncertain is without merit. For example,
3 Petitioner states in the First Cause of Action, "Under CEQA, agencies must ensure that the
4 environmental consequences of proposed projects are disclosed, considered, and feasibly
5 avoided at the earliest opportunity." [Pet. ¶49]. Petitioner then alleges, "Respondents failed to
6 perform even a basic environmental analysis and failed to produce an EIR." [Pet. ¶60]. This
7 allegation is clear: MTC/BATA and Caltrans have not complied with CEQA.

8 6. Caltrans and MTC/BATA have complicated and confused the situation by claiming,
9 without any supporting documentation whatsoever, that BATA is the Lead Agency for the
10 Bay Lights 360 project. Caltrans was the Lead Agency for all prior iterations of the Bay
11 Lights projects. This suddenly changed for the Bay Lights 360 project, with BATA now
12 claiming on the August 15, 2023 NOE to be the Lead Agency, but with no meeting minutes,
13 no analysis, no emails, and no record whatsoever that would show that BATA meets the
14 CEQA criteria for being the Lead Agency in the Bay Lights 360 project.

15 7. California Code of Regulations § 15051 states, "Where two or more public agencies will
16 be involved with a project, the determination of which agency will be the lead agency shall be
17 governed by the following criteria: (a) If the project will be carried out by a public agency,
18 that agency shall be the lead agency even if the project would be located within the
19 jurisdiction of another public agency." Caltrans is clearly "carrying out" the project as
20 Caltrans requested the permit from BCDC, Caltrans is supervising the construction work, and
21 Caltrans owns the Bay Bridge.
22
23

1 8. Given that Caltrans had been the Lead Agency for previous Bay Lights projects and
2 given the clear requirements of CCR § 15051, the assignment of BATA as Lead Agency for
3 the Bay Lights 360 would require significant justification, which does not exist.

4 9. Thus, if there is anything vague or uncertain about which agency, BATA or Caltrans, is
5 required to comply with CEQA, NEPA, the ADA, Section 504, and the Equal Protection
6 Clause, it is because BATA and Caltrans created the uncertainty by changing the Lead
7 Agency from Caltrans to BATA without justification and in violation of CCR § 15051.

8 10. Thus, with such legal uncertainty as to which agency is the Lead Agency, Caltrans'
9 demurrer should be denied.
10

11 **D. Allegation: All claims are barred by laches.**

12 11. The Petitioner's Response is provided in Resp. ¶¶13-17. In summary, the attempt by
13 Respondents to claim that Mr. Baker could or should have acted earlier is contradicted by: 1)
14 The Bay Lights 360 project is a wholly new project, similar to, but otherwise disconnected
15 entirely from previous iterations of the Bay Lights projects; 2) The failure of any agency to
16 approve the project; 3) The fact that Mr. Baker dutifully notified Illuminate, MTC/BATA, and
17 Caltrans numerous times over the course of a year and half about the Project's lack of
18 compliance with CEQA and ADA laws, and that none of the agencies took corrective action.

19 The cause of any laches for the Bay Lights 360 project is due, *inter alia*, to the failure of
20 MTC/BATA and Caltrans to respond to Mr. Baker's inquiries over the course of a year and a
21 half, and due to the Respondents' failure to approve the project. Thus, Mr. Baker is not the
22 source of laches, and the demurrer should be denied.
23

1 **E. Allegation: The State is not the lead agency; therefore, the first cause of action fails to**
2 **state a CEQA claim against the State.**

3 12. As described in ¶6-9, Caltrans' claim that "the State is not the lead agency" is unjustified
4 by any documentation. All evidence shows that Caltrans was previously the Lead Agency and
5 there is no evidence showing that Caltrans was justifiably or officially designated as the Lead
6 Agency for the Bay Lights 360 project.

7 13. The 2012 and 2015 NOEs both state that Caltrans is the Public Agency Approving
8 Project. (EXHIBIT A, B). The 2012 and 2015 NOEs both also claim that the private party
9 Illuminate is the Agency Carrying Out Project. This seems improbable since Illuminate is not
10 even a public government agency, but rather a private party. In any case, Caltrans was the
11 designated Lead Agency for the 2012 and 2015 iterations of the Bay Lights project.

12 14. However, in the NOE that was filed on August 15, 2023, the Bay Area Toll Authority
13 (BATA) was listed as both the approving agency and the agency carrying out the project.
14 (EXHIBIT C). How did this happen? Who approved of this change and how was the change
15 justified? One theory is that BATA Executive Director Andrew Fremier acted as a rogue
16 employee and simply filled out and filed the August 15, 2023, NOE without consulting
17 anyone else. Another theory is that BATA and Caltrans conspired to file the August 15, 2023,
18 NOE which names BATA as the approving agency so as to avoid having to disclose the
19 results of the 189-page Caltrans report published in April 2023 showing that LED lights harm
20 wildlife, and to avoid Caltrans having to assume liability for a project which would shine LED
21 lights into drivers' eyes.

22 15. However it all transpired, the assignment of BATA as the Lead Agency for the Bay
23 Lights 360 is undocumented, unjustified, and not in compliance with CCR § 15051. Caltrans
owns the Bay Bridge, Caltrans is carrying out construction, Caltrans is supervising the

1 construction, Caltrans requested the permit from BCDC, Caltrans Transportation Art rules
2 prohibit simulated movement and distracting illumination, and Caltrans is the issuer of the
3 encroachment permit. Therefore, Caltrans is the approving agency, and Caltrans is the agency
4 carrying out the project, and therefore Caltrans must be the Lead Agency for the Bay Lights
5 360 project.

6 16. Petitioner's First Cause of Action properly states a claim against Caltrans and the
7 demurrer should be denied.

8
9 **F. Allegation: The First Cause of Action is also barred by the CEQA statute(s) of**
10 **limitations period(s).**

11 17. Caltrans claims, "But the limitations period set forth in Public Resources Code section
12 21167, subdivision (a) does not apply here—where the lead agency has determined a project is
13 exempt from CEQA and has filed a Notice of Exemption." [Demurrer p.6, line 6]. There are
14 multiple fatal flaws with Caltrans' claim.

15 18. First, as shown above, Caltrans must be the Lead Agency for the Bay Lights 360 project
16 and is the only agency with authority to make a determination that the Bay Lights 360 is
17 exempt from CEQA: Caltrans owns the Bay Bridge; Caltrans is the agency that applied to
18 BCDC for their permit; Caltrans is the agency that commissioned the 189-page Travis
19 Loncore report on the impacts of LED light on wildlife; Caltrans is the agency carrying out the
20 construction; Caltrans is the issuer of the encroachment permit. BATA appears to have no
21 obvious relation at all with the Bay Lights 360 project, and BATA lacks the expertise and
22 resources to make such a significant determination that the Bay Lights 360 project could be
23

1 exempt from CEQA. Therefore, because the wrong agency filed the NOE, the NOE filed by
2 BATA is void.

3 19. Second, Caltrans conspicuously omits a critical portion of the law in the demurrer as
4 relates to Petitioner's timely CEQA claim. Public Resources Code Section 21167(a) states in
5 part, "...if a project is undertaken without a formal decision by the public agency, within 180
6 days from the date of commencement of the project."

7 20. There has never been a formal decision by either BATA or Caltrans to undertake the Bay
8 Lights 360 project. The Bay Lights 360 project has never been approved. The first record of
9 discussion of Bay Lights 360 occurs at a December 2022 BATA meeting (EXHIBIT D). At
10 the January 2023 BATA meeting, a PowerPoint was shown with the heading "The Bay Lights
11 360 – Proposed" (EXHIBIT E). But in the months that followed, the Bay Lights 360 project
12 was never approved. There is no evidence in the February, March, April, May, June, July, or
13 August, 2023 meeting minutes that show that the Bay Lights 360 project was approved.
14 (EXHIBIT F).

15 21. Thus, since construction on the Bay Lights 360 began on December 9, 2024 without a
16 formal decision by either BATA or Caltrans, the Petitioner had 180 days from December 9,
17 2024, as per PRC Section 21167(a). The Petitioner filed the claim on December 16, 2024, just
18 one week after the media reported that the Bay Lights 360 project had commenced. Thus, the
19 Petition was timely filed.

20 22. Third, California Code of Regulations Section 15062(a) states, "When a public agency
21 decides that a project is exempt from CEQA pursuant to Section 15061, and the public agency
22 approves or determines to carry out the project, the agency may, file a notice of exemption.
23 The notice shall be filed, if at all, after approval of the project." The NOE for the Bay Lights

360 project was filed on August 15, 2023, which is before the project was approved, and thus the NOE filing is void.

23. It is not the intent of the Legislature to allow public agencies to start talking about a project, off-handedly determine that a project is exempt from CEQA and then file an NOE anywhere along the process and limiting the public to a tiny 35-day window to file an action against the project. It is the intent of the Legislature that agencies such as BATA and Caltrans dutifully execute CEQA with careful consideration and analysis, and then, only after the project has been formally approved and recorded in meeting minutes with full transparency, is the statutorily authorized Lead Agency authorized to file an NOE. When agencies do not act with care and commence a project without formal approval, as is the case here, then it is the intent of the Legislature that the public has 180 days to file a claim.

24. Therefore, because the August 15, 2023, NOE was not filed by the Lead Agency, and because the NOE was filed prior to project approval, and because a citizen may file a CEQA claim up to 180 days after commencement of an unapproved project, the Petitioner has not exceeded any statute of limitations in filing this claim and the demurrer should be denied.

G. Allegation: This Court Lacks Jurisdiction over the Second Cause of Action for Alleged Violation of NEPA.

25. The Petitioner's Response is provided in Resp. ¶¶31-36.

26. Caltrans website states, "In 2006, Caltrans entered into a Memorandum of Understanding with FHWA, U.S. Environmental Protection Agency (U.S. EPA), U.S. Fish and Wildlife Service (USFWS), the Army Corps of Engineers (USACE), and NOAA Fisheries to merge the NEPA and Clean Water Act Section 404 processes. Projects that have five or

1 more acres of permanent impacts to waters of the United States and require the preparation of
2 an EIS are subject to the NEPA/404 Integration MOU (April 2006).”¹

3 27. The Bay Lights 360 project will impact approximately 100 square miles of federal
4 waters under the Bay Bridge. The Bay Bridge receives a steady stream of funding from the
5 FHWA. In addition, EPA, USFWS, USACE and NOAA Fisheries are undoubtedly concerned
6 about the impacts of light pollution on the bay waters, and at a minimum, expect to be notified
7 by Caltrans about projects such as the Bay Lights 360 which will have significant impacts on
8 the environment. The notification from Caltrans would give the FHWA, EPA, USFWS,
9 USACE, and NOAA Fisheries the opportunity to prepare an EIS.

10 The decision by Caltrans to withhold notification to FHWA and other federal agencies
11 about the Bay Lights 360 project thus violates the 2006 Caltrans NEPA MOU. In addition,
12 Caltrans did not prepare a NEPA Categorical Exclusion for the Bay Lights 360 project.

13 Therefore, since Caltrans is in violation of multiple NEPA agreements with federal
14 agencies such as the FHWA, the Petitioner has properly stated a cause of action, and the
15 demurrer should be denied.

16
17 **H. Allegation: The ADA Claim Must Be Dismissed as a Matter of Law Under Code of**
18 **Civil Procedure § 430.10(e).**

19 28. Caltrans has instituted a policy of designing and constructing projects that involve LED
20 lights without consideration of the Americans with Disabilities Act. On September 24, 2024,

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22
23
¹ <https://dot.ca.gov/programs/environmental-analysis/standard-environmental-reference-ser/volume-1-guidance-for-compliance/ch-32-environmental-impact-statement>

Caltrans wrote to Petitioner, in response to Petitioner's request for ADA accommodation, "We have determined that your request cannot be addressed by the ADA Infrastructure Program at this time for the following reason: The proposed project you mentioned is currently going through the review and approval process and therefore no accessibility barriers exist at present." (EXHIBIT G).

29. First, this statement confirms Petitioner's conclusion that the Bay Lights 360 project had not been approved as of the filing of the NOE on August 15, 2023, and that Petitioner's claim was timely filed.

30. Second, the Caltrans statement shows that it is Caltrans' policy to first construct a project without performing an ADA analysis and then wait for ADA accommodation requests and ADA discrimination lawsuits after the project has already been constructed. Caltrans claims that no accessibility barriers can exist until after the project has been completed. This policy, in and of itself, is discriminatory.

31. How does Caltrans know if the Bay Lights 360 project complies with 28 C.F.R. 35.151 which requires that any construction or alteration be readily accessible to individuals with disabilities? Because Caltrans has a policy of ignoring the ADA requirements for projects that involve LED lights, Caltrans has no way of knowing if the construction or alteration involving the LED lights will render the area readily accessible and usable by individuals with disabilities. This Caltrans policy runs counter to the California Administrative Procedure Act and CEQA which require careful analysis and reasoned decision making, not arbitrary and capricious actions.

Caltrans states, "Further, compliance with 28 C.F.R. § 35.151 is determined by the ADA Accessibility Standards, which do not contain any standards addressing LED lights."

[Demurrer, p. 8, line 18]. This is a false statement. The ADA Accessibility Standards are guidelines, not statutes or regulations. The ADA Accessibility Standards provide assistance to public agencies to help these agencies understand how to ensure accessibility, but ADA Accessibility Standards by no means encompass all possible areas of construction and certainly these guidelines have not been updated to include information on LED lights. Compliance with 28 C.F.R. § 35.151, which requires that altered areas be readily accessible and usable by individuals with disabilities, is incumbent on Caltrans. Since Caltrans' only policy involving LED lights is to ignore the impacts of LED lights on individuals with disabilities, Caltrans is unable to meet the requirements of 28 C.F.R. § 35.151 for projects that include the use of LED lights.

32. Thousands of reports of harm from exposure to LED lights have been submitted to the US Food and Drug Administration. Caltrans cannot simply ignore these reports and claim that they have no duty to assess the impacts of LED lights on individuals with disabilities prior to constructing and operating a project consisting of 50,000 intense, blue-rich LED lights that will shine not only across the entire bay, but directly into the eyes of drivers, many of whom may suffer severe adverse reactions to the LED lights.

33. Caltrans does not dispute the fact that Caltrans has not performed an ADA analysis to ensure that the Bay Lights 360 project will comply with all ADA requirements, and thus the Petitioner has sufficiently pled the facts for this cause of action and the demurrer should be denied.

I. Allegation: The Section 504 Claim Must Be Dismissed as a Matter of Law Under Code of Civil Procedure § 430.10(e).

34. The Petitioner's Response is provided in Resp. ¶¶39-40.

35. Additionally, as shown above, Caltrans has a discriminatory policy of ignoring the rights of individuals with disabilities for projects involving LED lights, including the rights of individuals with disabilities under Section 504 of the Rehabilitation Act. Caltrans does not explain how they are ensuring that the installation and operation of the 50,000 LED lights will not create discriminatory barriers and how these LED lights will not trigger seizures or migraines for individuals with epilepsy, autism, PTSD, migraines, or photophobia.

36. Caltrans must exercise reasoned decision making for projects involving LED lights. Skipping the analysis of how LED lights will impact individuals with disabilities does not employ reasoned decision making.

As shown earlier, the Bay Bridge receives federal funding, and thus Caltrans must comply with Section 504 of the Rehabilitation Act and the demurrer should be denied.

J. Allegation: The "Sixth" Cause of Action for Alleged Violation of the Equal Protection Clause Fails as a Matter of Law as Against the State.

37. The text of the 14th Amendment of the Constitution states in part, "...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." In this case, Caltrans is depriving individuals with disabilities due process of law and equal protection of the laws by failing to comply with CEQA and by failing to assess the impacts of LED lights on individuals with disabilities.

38. "The purpose of the equal protection clause of the Fourteenth Amendment is to secure every person within the state's jurisdiction against intentional and arbitrary discrimination,

1 whether occasioned by express terms of a statute or by its improper execution through duly
2 constituted agents.” [*Sunday Lake Iron Co. v. Wakefield*, 247 U.S. 350 (1918)]. The improper
3 execution of CEQA by Caltrans thus results in arbitrary discrimination against individuals
4 who may suffer seizures or migraines when exposed to LED light.

5 39. CPRC § 21083(b) states in part, “The criteria shall require a finding that a project may
6 have a "significant effect on the environment" if...The environmental effects of a project will
7 cause substantial adverse effects on human beings, either directly or indirectly.” By
8 exempting the Bay Lights 360 project from CEQA and by failing to analyze the impacts of
9 LED lights on individuals with disabilities, Caltrans violated the due process and equal
10 protection rights of individuals with disabilities and other individuals who cannot
11 neurologically tolerate LED light.

12 40. PRC § 12001 states in part, “The Legislature further finds and declares that it is the
13 policy of the state to: (a) Develop and maintain a high-quality environment now and in the
14 future, and take all action necessary to protect, rehabilitate, and enhance the environmental
15 quality of the state...(e) Create and maintain conditions under which man and nature can exist
16 in productive harmony to fulfill the social and economic requirements of present and future
17 generations...(f) Require governmental agencies at all levels to develop standards and
18 procedures necessary to protect environmental quality...(g) Require governmental agencies at
19 all levels to consider qualitative factors as well as economic and technical factors and long-
20 term benefits and costs, in addition to short-term benefits and costs and to consider
21 alternatives to proposed actions affecting the environment.”

22 It is clear from PRC § 12001 that the Legislature understands that humans are part of the
23 environment, and that the Legislature requires governmental agencies to consider all factors

1 when proposing a project. Despite the requirements of PRC § 12001, Caltrans has made no
2 effort to develop standards or procedures for projects involving LED lights and has failed to
3 consider the qualitative impacts of LED lights on public health and civil rights. By failing to
4 comply with PRC § 12001, Caltrans violates the due process and equal protection rights of the
5 class of individuals for whom LED light causes adverse impacts.

6 41. A demurrer can only be sustained if “the pleading does not state facts sufficient to
7 constitute a cause of action.” [CCP § 430.10]. While Caltrans may dispute the applicability of
8 the 14th Amendment Equal Protection Clause, the pleading itself states facts sufficient to
9 constitute a cause of action, and therefore the demurrer cannot be sustained.

11 **III. CONCLUSION**

12 42. Caltrans has failed to show that the factual allegations in the complaint are not legally
13 sufficient. The facts show that the Bay Lights 360 project has never been approved, that the
14 proposed Bay Lights 360 project is not a negligible expansion of an existing project, that the
15 Bay Lights 360 project is not categorically exempt from CEQA requirements, that Caltrans is
16 required to consult with the FHWA, that Caltrans must include an analysis of the impacts of
17 LED light on individuals with disabilities, and that Caltrans must ensure equal protection for
18 individuals who cannot tolerate LED light. At this stage of pleading, the allegations must be
19 taken as true, and the complaint is to be construed liberally. All the facts are sufficient to state
20 the associated causes of action.

21 43. For the reasons stated herein, Mr. Baker respectfully requests that the demurrer be
22 denied.

23 Dated: March 5, 2025

Respectfully Submitted,

By: /s/ Mark Baker
9450 SW Gemini Drive PMB 44671
Beaverton, OR 97008
mbaker@softlights.org

JUN 08, 2012

NOTICE OF EXEMPTION by: **JENNIFER WONG**

Deputy County Clerk

To: San Francisco County Clerk-Recorder
City and County of San Francisco
City Hall, Room 168
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4678

From: Bay Area Toll Authority (BATA)
101 Eighth Street,
Oakland, California 94607

RECEIVED
JUN 13 2012SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION**Project Title:** Temporary Bay Bridge Lights Project**Project Location:** Bay Bridge, San Francisco, CA**Project Location – City:** City of San Francisco**Project Location –County:** San Francisco County**Name of Public Agency Approving Project:** California Department of Transportation (Caltrans) District 4

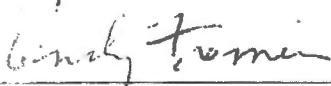
Description of Project: The project proposes to temporarily install light-emitting diode (LED) white lights on the Bay Bridge, in honor of the Bay Bridge's 75th Diamond Anniversary. Up to thirty thousand (30,000) energy-efficient LED lights, approximately two (2) inches in diameter each, will be installed on the vertical suspender cables of the north facing side of the upper deck level of the Bay Bridge's West span. The bridge lights will face away from bridge vehicular traffic and towards the San Francisco waterfront. The lights will be lit from dusk to early morning (between 12:00am and 2:00am) beginning in late 2012 and light removal is expected to begin in January 2015. The project will not affect the Bay Bridge structure, will not involve any ground disturbance, and does not involve any expansion of use of the Bay Bridge.

Name of Person or Agency Carrying Out Project: Illuminate The Arts

Exempt Status: ☒ **Categorical Exemption, Class 1: Section 15301**

Reasons why project is exempt: Class 1: Operation, repair, maintenance or minor alterations to a public facility involving no or negligible expansion of use.

The project, installation of temporary lights on the Bay Bridge, involves no expansion of use, will not result in significant effects on the environment due to unusual circumstances, nor will it result in a cumulative impact. The project will not result in a traffic safety impact, damage to scenic resources, cause a substantial adverse change in the significance of a historic resource, or affect sensitive-species or habitat; and the site is not located on a documented hazardous waste site.

Lead Agency Contact Person: Andrew B. Fremier**Phone Number:** 510-817-5840**Signature:****Date:** 6/7/2012**Title:** Deputy Executive Director,
Operations☒ **Signed by Lead Agency**

POSTED

JUN 08 2012

TO

Exhibit B

2015-16

NOTICE OF EXEMPTION

ENDORSED

FILED

SAN FRANCISCO County Clerk

MAY 14, 2015

by: MARIBEL JALDON

Deputy County Clerk

To: San Francisco County Clerk-Recorder
City and County of San Francisco
City Hall, Room 168
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4678

From: Bay Area Toll Authority
101 Eighth Street,
Oakland, California 94612

Project Title: The Bay Lights Project

Project Location: Bay Bridge, San Francisco, CA

Project Location – City: City of San Francisco

Project Location –County: San Francisco County

Name of Public Agency Approving Project: California Department of Transportation (Caltrans) District 4

Description of Project: The Bay Lights is an existing light-emitting diode (LED) light sculpture art installation on the Bay Bridge's west span that has been lit since March 5, 2013. The project proposes to extend the lights from a temporary installation into one that extends for a decade or more. After removing the existing LED lights from the vertical suspender cables of the Bay Bridge's West span to allow for painting of the suspender cables, the lights will be re-installed in time for Super Bowl 50 in February 2016. The lights would be illuminated from dusk to dawn for a period commemorating the Super Bowl and through the year 2026. Up to twenty-five thousand (25,000) energy efficient LED lights, approximately two (2) inches in diameter each, will be installed on the vertical suspender cables of the north-facing side of the upper deck level of the Bay Bridge's West Span with ultraviolet (UV) resistant plastic coated stainless steel zip ties, so no paint disturbance will occur to the bridge structure. The bridge lights will face away from bridge vehicular traffic and towards the San Francisco waterfront. The project will not affect the Bay Bridge structure, will not involve any ground disturbance, and does not involve any expansion of use of the Bay Bridge.

Name of Person or Agency Carrying Out Project: Illuminate The Arts

Exempt Status: ☒ Categorical Exemption, Class 1: Section 15301

Reasons why project is exempt: Class 1: Operation, repair, maintenance or minor alterations to a public facility involving no or negligible expansion of use.

The project, removal and re-installation of an LED light sculpture art installation on the Bay Bridge, involves no expansion of use, will not result in significant effects on the environment due to unusual circumstances, nor will it result in a cumulative impact. The project will not result in a traffic safety impact, damage to scenic resources, cause a substantial adverse change in the significance of a historic resource, or affect sensitive-species or habitat; and the site is not located on a documented hazardous waste site.

Lead Agency Contact Person: Andrew B. Fremier

Phone Number: 510.817.5840

Signature:



Date: 5/11/15

Title: Deputy Executive Director

☒ Signed by Lead Agency

POSTED

MAY 14 2015

TO

FILED

SAN FRANCISCO County Clerk

AUG 15 2023

by: Mariadyne Nadonza
Deputy County Clerk

NOTICE OF EXEMPTION

To: San Francisco County Clerk-Recorder
City and County of San Francisco
City Hall, Room 168
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4678

From: Bay Area Toll Authority (BATA)
375 Beale Street, Suite 800
San Francisco, CA 94105

Project Title: The Bay Lights 360

Project Location: Bay Bridge, San Francisco, CA

Project Location - City: San Francisco

Project Location - County: San Francisco

Name of Public Agency Approving Project: Bay Area Toll Authority

Description of Project: The Bay Lights is an existing art installation on the north side of the Bay Bridge's West Span and is the world's largest light-emitting diode (LED) light sculpture. The Bay Lights became operational March 5, 2013, was replaced in kind in the fall of 2015, and recommissioned in February 2016 as a permanent installation. The proposed Project consists of three main components: (1) the extension of the light sculpture for another 10 years to 2033; (2) the replacement of the light fixtures with newly updated and more robust fixtures and components while keeping the same technical details and intensity of the lights as the current installation; and (3) the addition of light fixtures to the driver's (inward-facing) side of the same suspension cables for a 360-degree view of the light sculpture.

Name of Person or Agency Carrying Out Project: Bay Area Toll Authority

Exempt Status: Class 1, Section 15301, Existing Facilities: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

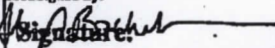
Reasons why project is exempt: The project is the extension of the light sculpture for another 10 years, removal and re-installation of the existing LED lights, and the addition of new lights on the driver's side of the same suspension cables to allow a 360-degree view of the LED light sculpture. The addition of the LED lights is considered a negligible expansion as the existing lights are already a prominent feature on the Bay Bridge and the hours of operation would remain the same.

Per Section 15300.2 of the California Environmental Quality Act (CEQA) Guidelines, it has been determined the project would not result in significant effects on the environment due to unusual circumstances. The project is not located on a hazardous waste site, will not damage scenic resources, cause a substantial adverse change in the significance of a historic resource, or result in a cumulative impact. For this reasons and those stated above, the project is exempt from the provisions of CEQA.

Lead Agency Contact Person: Alix Bockelman

Phone Number: 415-778-5250

DocuSigned by:



004503552178447

Date: 7/21/2023

Title: Chief Deputy Executive
Director

POSTED

TO

AUG 15 2023

SEP 27 2023



State of California - Department of Fish and Wildlife
2023 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/23) Previously DFG 753.5a

Print

Finalize&Email

RECEIPT NUMBER:

38-08/15/2023-090

STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

| | | |
|--------------------------------|-------------------|-----------------|
| LEAD AGENCY | LEAD AGENCY EMAIL | DATE |
| BAY AREA TOLL AUTHORITY (BATA) | | 08/15/2023 |
| COUNTY/STATE AGENCY OF FILING | | DOCUMENT NUMBER |
| SAN FRANCISCO COUNTY | | 2023-0000054 |
| PROJECT TITLE | | |

THE BAY LIGHTS 360

| | | |
|-----------------------------|-------------------------|----------------|
| PROJECT APPLICANT NAME | PROJECT APPLICANT EMAIL | PHONE NUMBER |
| ALIX BOCKELMAN | | (415) 778-5250 |
| PROJECT APPLICANT ADDRESS | CITY | STATE |
| 375 BEALE STREET, SUITE 800 | SAN FRANCISCO | CA |
| | | ZIP CODE |
| | | 94105 |

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR) \$ 3,839.25 \$
☐ Mitigated/Negative Declaration (MND)(ND) \$ 2,764.00 \$
☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW \$ 1,305.25 \$

☒ Exempt from fee

☒ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only) \$ 850.00 \$
☒ County documentary handling fee \$ 79.00 \$ 79.00
☐ Other \$

PAYMENT METHOD:

☐ Cash ☐ Credit ☒ Check ☐ Other

TOTAL RECEIVED \$ 79.00

SIGNATURE

X

Maridyne Nadonza

AGENCY OF FILING PRINTED NAME AND TITLE

Maridyne Nadonza Deputy Clerk

Exhibit D



Bay Lights Check-in

October 19, 2022

Attendees: Ben Davis, Amy Critchett, Saeed Shahmirzai, Peter Lee, Angela Louie, Megan Nangle

Meeting Notes

1. Overview of TBL 360

- The Bay Light's condition is deteriorating, moving forward with The Bay Lights 360.
 - The lights are on both sides of the same cable on the north side of bridge
 - Aiming for aesthetic equity for east bay
 - Redefine what it means to move into a city with public art
 - Lights will be up by 10-year anniversary
- Illuminate/Saeed responded to Caltrans' comments. Will address CHP's comments relating to safety when they go through the Art Committee process. There is always the choice to turn the lights facing the drivers off via software
- Why not put the lights on the south side of the bridge? Putting them on the south side doubles the cost, and aesthetically not good.
- The MTC/BATA Commission will be going through changes in February, recommend that we present at the December/January Committee (Meeting is January 11)
- Illuminate working on fundraising. Between mid-November and thanksgiving, Illuminate is planning on making a public announcement that the existing Bay Lights will be turned off in Mar 2023
- \$11M fundraising effort for the Bay Lights 360 (not including maintenance)
- John suggested holding off on the fundraising push until February as it is hard to get the news to focus on items during the holidays. Ben to let BATA know when the announcement will come out.

2. Permits (Refer to Bay Lights Approval Needs Document)

- CEQA Environmental Revalidation-contract for Environmental Consultant being circulated for signature
- Transportation Art Review-Saeed to follow-up with Amjad, hope to be at 35% or 65% design in December and then at that time will share the plans with Caltrans
- Encroachment Permit-No action now
- BCDC Permit-Saeed to follow-up

3. TBL 360 Maintenance Contract

- Musco contract is \$3 Million over 10 years
- Don't have a contractor on board yet
- Started conceptual drawings

4. Existing Bay Lights

- Signify Amendment- BATA to pay the last invoice, Saeed to confirm there are not any more invoices, then BATA will process Signify amendment to end contract March 2023

5. Agreements

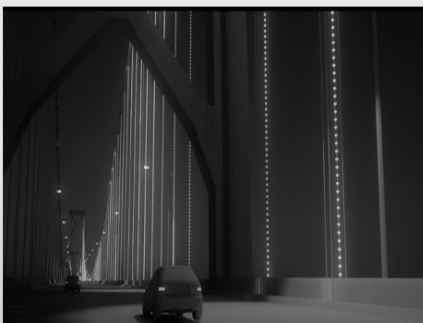
- Caltrans, BATA, Illuminate-Saeed will talk to Caltrans about agreement, Megan to send copies of the agreements from first Bay Lights to Saeed.
- BATA/Illuminate-Update agreement

Exhibit E

BATA Proposal for Bay Lights 360



The Bay Lights 360 - Proposed



[Simulation of The Bay Lights 360 – linked video simulation](#)

- Funded by Illuminate
- 48,000 lights illuminated on both sides of the north side of the west span
- Visible from all directions for increased aesthetic equity
- Light display in wave-like abstract pattern
- Can independently adjust either side

Exhibit F



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, February 22, 2023

9:40 AM

HYBRID (In-Person Option Available)

The Bay Area Toll Authority is scheduled to meet on Wednesday, February 22, 2023 at 9:40 a.m. or immediately following the 9:35 a.m. Commission meeting, in the Bay Area Metro Center (Hybrid with In-person option available). In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with the recently signed Assembly Bill 361 allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants. A Zoom panelist link for meeting participants will be sent separately to committee, commission, or board members.

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building. The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

Attendee Link: <https://bayareametro.zoom.us/j/89293628772>

Or iPhone one-tap: US: +13462487799,,89293628772# or +12532050468,,89293628772#

Or Join by Telephone: (for higher quality, dial a number based on your current location) US:

+1 408 638 0968 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799 or

+1 312 626 6799 or +1 646 876 9923 or +1 301 715 8592 or

877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Webinar ID: 892 9362 8772

International numbers available: <https://bayareametro.zoom.us/j/kcEhvnuzwE>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>. Committee members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial "*9". In order to get the full Zoom experience, please make sure your application is up to date.

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

BATA Roster:

Alfredo Pedroza (Chair), Nick Josefowitz (Vice Chair), Margaret Abe-Koga, Eddie Ahn, David Canepa, Cindy Chavez, Carol Dutra-Vernaci, Dina El-Tawansy*, Victoria Fleming, Dorene M. Giacomini*, Federal D. Glover, Matt Mahan, Nate Miley, Stephanie Moulton-Peters, Sue Noack, Gina Papan, David Rabbitt, Hillary Ronen, James P. Spering, Sheng Thao, Vacant*

***Non-Voting Members**

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this Authority shall be a majority of its regular voting members (10).

2. Chair's Report**3. Consent Calendar**

- 3a.** [23-0233](#) Minutes of the January 25, 2023 meeting
- Action: Authority Approval
- Attachments: [3a 23-0233 January 25 2023 BATA Draft Meeting Minutes.pdf](#)
-
- 3b.** [23-0242](#) BATA Resolution No. 168 Providing for Remote Meetings Pursuant to Assembly Bill 361
- Action: Authority Approval
- Attachments: [3b 23-0242 BATA Resolution 168 AB 361.pdf](#)
-
- 3c.** [23-0181](#) BATA Resolution No. 143, Revised - Program of Projects for BATA's Formula Share of the Local Partnership Program - Cycle 3
- Action: Authority Approval
- Presenter: Rosalynn Chongchaikit
- Attachments: [3c 23-0181 BATA Resolution 143 Local Partnership Program Cycle 3.pdf](#)

4. BATA Oversight Committee Report (Vice Chair Abe-Koga)

- 4a.** [23-0166](#) BATA Resolution No. 145 - Authorizing the 2023 Plan of Finance and Providing for the Solicitation of Consent to Certain Bond Indenture Amendments; and Receipt of the Good Faith Estimate

A request that the Authority approve BATA Resolution No. 145, authorizing the 2023 Plan of Finance and providing for the solicitation of consent to certain indenture amendments, and that the Authority approve the receipt of the Good Faith Estimate.

Action: Authority Approval

Presenter: Derek Hansel

Attachments: [4a 23-0166 Update BATA Res 145 2023 Plan of Finance.pdf](#)
 [4a 23-0166 Attachment-D Good Faith Estimate.pdf](#)
 [4a 23-0166 Attachment-E PowerPoint 2023 Plan of Finance.pdf](#)
 [4a 23-0166 BATA Resolution 145 2023 Plan of Finance.pdf](#)

- 4b.** [23-0182](#) BATA Resolution No. 166 - BATA 10-Year Toll Bridge Capital Improvement Plan for Fiscal Year 2024-33

Request for approval of BATA Resolution No. 166 adopting the BATA 10-Year Toll Bridge Capital Improvement Plan (CIP) for Fiscal Year (FY) 2024-33. The CIP totals approximately \$1.8 billion over a 10-year period and includes rehabilitation and operational improvements of toll bridges, facilities, and other eligible assets, and the upkeep and replacement of tolling equipment. Staff will also provide an updated Toll Bridge Program Report for information.

Action: Authority Approval

Presenter: Rosalynn Chongchaikit

Attachments: [4b 23-0182 BATA Resolution 166 10-Year Toll Bridge CIP FY 2024-33.pc](#)
 [4b 23-0182 Attachment-B BATA Reso 166 10-Year Toll Bridge CIP FY 2](#)

5. Public Comment / Other Business**6. Adjournment / Next Meeting**

The next meeting of the Bay Area Toll Authority is scheduled to be held on March 22, 2023 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Authority meetings by completing a request-to-speak card (available from staff) and passing it to the Authority secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Authority may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Authority meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章: MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Titulo VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Authority members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Authority. Actions recommended by staff are subject to change by the Authority.



Meeting Minutes

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, February 22, 2023

9:40 AM

HYBRID (In-Person Option Available)

Chair Pedroza called the meeting to order at 11:24 a.m.

1. Roll Call / Confirm Quorum

Present: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Miley, Chair Moulton-Peters, Chair Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 3 - Commissioner Abe-Koga, Commissioner Mahan and Commissioner Thao

Non-Voting Commissioner Present: Commissioner Giacomini

Non-Voting Commissioner Absent: Commissioner El-Tawansy

2. Chair's Report

There was nothing to report.

3. Consent Calendar

Commissioner Chavez was absent during the Consent Calendar vote.

Commissioner Moulton-Peters and Commissioner Noack recused themselves from agenda item 3a.

Upon the motion by Commissioner Glover and seconded by Commissioner Spering, the Authority unanimously approved the Consent Calendar by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Miley, Chair Moulton-Peters, Chair Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 4 - Commissioner Abe-Koga, Commissioner Chavez, Commissioner Mahan and Commissioner Thao

3a. [23-0233](#) Minutes of the January 25, 2023 meeting

Action: Authority Approval

- 3b. [23-0242](#) BATA Resolution No. 168 Providing for Remote Meetings Pursuant to Assembly Bill 361

Action: Authority Approval

- 3c. [23-0181](#) BATA Resolution No. 143, Revised - Program of Projects for BATA's Formula Share of the Local Partnership Program - Cycle 3

Action: Authority Approval

Presenter: Rosalynn Chongchaikit

4. BATA Oversight Committee Report (Vice Chair Abe-Koga)

- 4a. [23-0166](#) BATA Resolution No. 145 - Authorizing the 2023 Plan of Finance and Providing for the Solicitation of Consent to Certain Bond Indenture Amendments; and Receipt of the Good Faith Estimate

A request that the Authority approve BATA Resolution No. 145, authorizing the 2023 Plan of Finance and providing for the solicitation of consent to certain indenture amendments, and that the Authority approve the receipt of the Good Faith Estimate.

Action: Authority Approval

Presenter: Derek Hansel

Upon the motion by Chair Pedroza and seconded by Commissioner Canepa, the Authority unanimously adopted BATA Resolution No. 145. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Dutra-Vernaci, Commissioner Fleming, Commissioner Glover, Commissioner Miley, Chair Moulton-Peters, Chair Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 4 - Commissioner Abe-Koga, Commissioner Chavez, Commissioner Mahan and Commissioner Thao

4b. [23-0182](#) BATA Resolution No. 166 - BATA 10-Year Toll Bridge Capital Improvement Plan for Fiscal Year 2024-33

Request for approval of BATA Resolution No. 166 adopting the BATA 10-Year Toll Bridge Capital Improvement Plan (CIP) for Fiscal Year (FY) 2024-33. The CIP totals approximately \$1.8 billion over a 10-year period and includes rehabilitation and operational improvements of toll bridges, facilities, and other eligible assets, and the upkeep and replacement of tolling equipment. Staff will also provide an updated Toll Bridge Program Report for information.

Action: Authority Approval

Presenter: Rosalynn Chongchaikit

The following members of the public were called to speak: Aleta Dupree and Michael Baldini.

Commissioner Chavez returned and Commissioner Fleming left during agenda item 4b.

Upon the motion by Chair Pedroza and seconded by Commissioner Papan, the Authority unanimously adopted BATA Resolution No. 166. The motion carried by the following vote:

Aye: 14 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Chair Moulton-Peters, Chair Noack, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 4 - Commissioner Abe-Koga, Commissioner Fleming, Commissioner Mahan and Commissioner Thao

5. Public Comment / Other Business

Written public comments were received from Kyle Baker (Get A Custom One) and Aleta Dupree was called to speak.

6. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority is scheduled to be held on March 22, 2023 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority Oversight Committee

Committee Members:

Vacant, Chair **Margaret Abe-Koga, Vice Chair**
Cindy Chavez, Federal D. Glover, Nate Miley, Gina Papan, David
Rabbitt, Hillary Ronen
Non-Voting Member: Dina El-Tawansy

Wednesday, March 8, 2023

9:35 AM

Board Room - 1st Floor

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building. The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number.

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Attendee Link: <https://bayareametro.zoom.us/j/84528867390>

iPhone One-Tap: US: +13462487799,,84528867390# or +12532050468,,84528867390#

Join by Telephone (for higher quality, dial a number based on your current location) US:
888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 845 2886 7390

International numbers available: <https://bayareametro.zoom.us/j/84528867390>

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1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this committee shall be a majority of its regular non-ex-officio voting members (4).

2. Pledge of Allegiance / Acknowledgement of the Flag

3. Compensation Announcement – Clerk of the Committee

4. Consent Calendar

- 4a. [23-0247](#) Approval of Bay Area Toll Authority Oversight Committee Minutes of the February 8, 2023 Meeting

Action: Committee Approval

Attachments: [4a 23-0247 02-08-2023 BATA O Draft Meeting Minutes.pdf](#)

- 4b. [23-0275](#) Contract Amendment - FasTrak® Collection Services: Law Enforcement Systems, LLC (\$1,400,000)

Action: Committee Approval

Presenter: Victor Wong

Attachments: [4b 23-0275 Summary Sheet Contract Amendment Law Enforcement Syste](#)

- 4c. [23-0358](#) Contract Change Order Amendment - FasTrak® Regional Customer Service Center Development of Means-Based Payment Plan Program: Conduent State and Local Solutions, Inc. (\$300,000)

Action: Committee Approval

Presenter: Carol Kuester

Attachments: [4c 23-0358 Summary Sheet Contract Change Order Amend Conduent Pa](#)

- 4d. [23-0351](#) Fiscal Year (FY) 2022-23 Bay Area Toll Authority (BATA) Second Quarter Financial Statements (Unaudited)

Action: Information

Presenter: Alita Reinecker

Attachments: [4di 23-0351 Summary Sheet BATA FY 2022-23 Second Quarter Financial](#)
[4dii 23-0351 Attachment A BATA FY 2022-23 Second Quarter Financial S](#)

5. Approval

- 5a. [23-0276](#) Contract Amendment - Credit Card Processing for the FasTrak® Electronic Toll Collection Program: Bank of America Merchant Services (\$56,000,000)

This item would authorize the Executive Director or designee to negotiate and enter into a contract amendment with Bank of America Merchant Services (BAMS) to 1) increase the annual contract amount to \$22,000,000 starting FY 2023 and 2) extend the contract by two-years, through June 30, 2026, in a total not to exceed amount of \$56,000,000 (see Attachment A), to continue to provide credit card processing services for the FasTrak® Electronic Toll Collection (ETC) program, subject to the approval of future BATA budgets.

Action: Committee Approval

Presenter: Victor Wong

Attachments: [5ai 23-0276 Summary Sheet Bank of America Merchant Services Contrac](#)
[5aii 23-0276 PowerPoint Bank of America Merchant Services Contract Arr](#)

6. Public Comment / Other Business

*Committee Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial *9. When called upon, unmute yourself or dial *6.*

7. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority Oversight Committee will be held on Wednesday, April 12, 2023 at 9:35 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

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Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Authority may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

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Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, April 26, 2023

9:40 AM

Board Room – 1st Floor

The Bay Area Toll Authority (BATA) is scheduled to meet on
Wednesday, April 26, 2023 at 9:40 a.m. or immediately following the 9:35 a.m. Commission
meeting in the Bay Area Metro Center at 375 Beale Street, Board Room (1st Floor).
This meeting shall consist of a simultaneous teleconference call at the following location(s):
Pinole Public Library, 2935 Valley Road, Pinole, CA 94564
and
James City-County Recreation Center,
Community Room D, 5301 Longhill Road, Williamsburg, VA 23188

Meeting attendees may opt to attend in person for public comment and observation. In-person
attendees must adhere to posted public health protocols while in the building. The meeting
webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>.
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phone number.

Zoom Attendee Link: <https://bayareametro.zoom.us/j/82784769369>

Or iPhone one-tap: US:

+13462487799,,82784769369# US (Houston)

+16694449171,,82784769369# US

Or Join by Telephone: (for higher quality, dial a number based on your current location) US:

888 788 0099 US Toll Free 833 548 0276 US Toll Free

833 548 0282 US Toll Free 877 853 5247 US Toll Free

Webinar ID: 827 8476 9369

International numbers available: <https://bayareametro.zoom.us/j/82784769369>

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<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>.

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info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please
include the committee or board meeting name in the subject line. Due to the current
circumstances there may be limited opportunity to address comments during the meeting. All
comments received will be submitted into the record.

BATA Roster:

Alfredo Pedroza (Chair), Nick Josefowitz (Vice Chair), Margaret Abe-Koga, Eddie Ahn,
David Canepa, Cindy Chavez, Carol Dutra-Vernaci, Dina El-Tawansy*, Victoria Fleming,
Dorene M. Giacomini*, Federal D. Glover, Matt Mahan, Nate Miley, Stephanie Moulton-Peters,
Sue Noack, Gina Papan, David Rabbitt, Hillary Ronen, Libby Schaaf*, James P. Spering, Sheng
Thao

***Non-Voting Members**

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this Authority shall be a majority of its regular voting members (10).

2. Chair's Report**3. Consent Calendar**

3a. [23-0506](#) Minutes of the March 22, 2023 meeting

Action: Commission Approval

Attachments: [3a 23-0506 March 22 2023 BATA Draft Meeting Minutes.pdf](#)

4. Public Comment / Other Business**5. Adjournment / Next Meeting**

The next meeting of the Bay Area Toll Authority is scheduled to be held on May 24, 2023 at 9:40 a.m. Any changes to the schedule will be duly noticed to the public.

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All items on the agenda are subject to action and/or change by the Authority. Actions recommended by staff are subject to change by the Authority.



Meeting Minutes

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, April 26, 2023

9:40 AM

Board Room – 1st Floor

Chair Pedroza called the meeting to order at 11:26 a.m.

1. Roll Call / Confirm Quorum

- Present:** 13 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Papan, Commissioner Ronen and Commissioner Spering
- Absent:** 5 - Commissioner Fleming, Commissioner Mahan, Commissioner Noack, Commissioner Rabbitt and Commissioner Thao

Non-Voting Commissioner Present: Commissioner Giacomini

Non-Voting Commissioner Absent: Commissioner El-Tawansy

2. Chair's Report

There was nothing to report.

3. Consent Calendar

Upon the motion by Commissioner Canepa and seconded by Commissioner Chavez, the Authority unanimously approved the Consent Calendar by the following vote:

- Aye:** 13 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Canepa, Commissioner Chavez, Commissioner Dutra-Vernaci, Commissioner Glover, Commissioner Miley, Commissioner Moulton-Peters, Commissioner Papan, Commissioner Ronen and Commissioner Spering
- Absent:** 5 - Commissioner Fleming, Commissioner Mahan, Commissioner Noack, Commissioner Rabbitt and Commissioner Thao

3a. [23-0506](#) Minutes of the March 22, 2023 meeting

Action: Commission Approval

4. Public Comment / Other Business

Aleta Dupree was called to speak.

5. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority is scheduled to be held on May 24, 2023 at 9:40 a.m. Any changes to the schedule will be duly noticed to the public.



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority Oversight Committee

Committee Members:

Federal Glover, Chair

Margaret Abe-Koga, Vice Chair

*Cindy Chavez, Victoria Fleming, Nate Miley, Gina Papan,
Hillary Ronen, and Sheng Thao*

Non-Voting Member: Dina El-Tawansy

Wednesday, May 10, 2023

9:35 AM

Board Room - 1st Floor

The Bay Area Toll Authority (BATA) Oversight Committee is scheduled to meet on Wednesday, May 10, 2023 at 9:35 a.m. or immediately following the 9:00 a.m. Budget Study Session, in the Bay Area Metro Center at 375 Beale Street, Board Room (1st Floor).

This meeting shall consist of a simultaneous teleconference call at the following location(s): Santa Clara County Government Center, 70 W. Hedding Street, 1st Floor (Room 157), San Jose, CA 95110 and Country Inn & Suites by Radisson, 1160 W Devon Avenue (Business Center), Elk Grove, IL 60007

Meeting attendees may opt to attend in person for public comment and observation. In-person attendees must adhere to posted public health protocols while in the building. The meeting webcast will be available at <https://mtc.ca.gov/whats-happening/meetings/live-webcasts>. Commissioners and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial *9. When called upon, unmute yourself or dial *6. In order to get the full Zoom experience, please make sure your application is up to date.

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Zoom Attendee Link: <https://bayareametro.zoom.us/j/86944031325>

iPhone One-tap: US: +13462487799,,86944031325# US or +16694449171,,86944031325# US

Join by Telephone (for higher quality, dial a number based on your current location) US:
888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 869 4403 1325

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1. Roll Call / Confirm Quorum

Quorum: A quorum of this committee shall be a majority of its regular non-ex-officio voting members (5).

2. Consent Calendar

- 2a. [23-0517](#) Approval of Bay Area Toll Authority Oversight Committee Minutes of the April 12, 2023 Meeting

Action: Committee Approval

Attachments: [2a 23-0517 04-12-2023 BATA O Draft Meeting Minutes.pdf](#)

- 2b. [23-0546](#) Contract - Consultant Design Services for West Oakland Link Project: T.Y. Lin International (\$6,000,000)

Action: Committee Approval

Presenter: Gavin Lohry

Attachments: [2b 23-0546 Consultant Design Services Contract TYLin.pdf](#)

3. Authority Approval

- 3a. [23-0606](#) BATA Resolution No. 52, Revised. Update on Low-Income Payment Plan and FasTrak® Policy Changes: Referral to Authority

An update on the Low-Income Payment Plan and a request that BATA Resolution No. 52, Revised be referred to the full Authority for approval of policies related to the Payment Plan and violations for state-owned bridges.

Action: Authority Approval

Presenter: Lysa Hale

Attachments: [3a 23-0606 BATA Resolution 52 Low Income Payment Plan FasTrak Poli](#)
[3a 23-0606 Presentation Update Low Income Payment Plan and FasTrak](#)

4. Information

4a. [23-0472](#)

Update on the Open Road Tolling Program and Potential Future Change to the High-Occupancy Vehicle Policy at BATA Bridges

Update on the Open Road Tolling (ORT) Program and a potential future change to the high-occupancy vehicle (HOV) policy to allow vehicles with two or more occupants to use the HOV lanes at Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, Dumbarton, and San Mateo-Hayward Bridges while providing the HOV discount to vehicles with three or more occupants using FasTrak Flex®.

Action: Information

Presenter: Peter Lee

Attachments: [4a 23-0472 Update Open Road Tolling Program and HOV Policy.pdf](#)
[4a 23-0472 Attachment A Open Road Tolling Program Update.pdf](#)

5. Public Comment / Other Business

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6. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority Oversight Committee will be held on Wednesday, June 14, 2023 at 9:35 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

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Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority Oversight Committee

Committee Members:

Federal Glover, Chair

Margaret Abe-Koga, Vice Chair

*Cindy Chavez, Victoria Fleming, Nate Miley, Gina Papan,
Hillary Ronen, and Sheng Thao*

Non-Voting Member: Dina El-Tawansy

Wednesday, June 14, 2023

9:35 AM

Board Room - 1st Floor

The Bay Area Toll Authority (BATA) Oversight Committee is scheduled to meet on
Wednesday, June 14, 2023 at 9:35 a.m., in the Bay Area Metro Center at
375 Beale Street, Board Room (1st Floor).

This meeting shall consist of a simultaneous teleconference call at the following location(s):
Mountain View City Hall, 500 Castro Street, City Clerks Conf. Room, 3rd Floor, Mountain View,
CA, and Pinole Public Library, 2935 Valley Road, Pinole, CA

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Or iPhone one-tap: US: +13462487799,,84434896680# US

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Webinar ID: 844 3489 6680

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1. Roll Call / Confirm Quorum

Quorum: A quorum of this committee shall be a majority of its regular non-ex-officio voting members (5).

2. Pledge of Allegiance

3. Compensation Announcement (Committee Secretary)

4. Consent Calendar

- 4a. [23-0686](#) Approval of BATA O. Committee Minutes of the May 10, 2023 Meeting
Action: Committee Approval
Attachments: [4a 23-0686 05-10-2023 BATA O Draft Meeting Minutes.pdf](#)
- 4b. [23-0708](#) Purchase Orders - FasTrak® Toll Tags: Star Systems America, LLC. (\$4,037,592) and Neology, Inc. (\$141,756)
Action: Committee Approval
Presenter: Kevin Wong
Attachments: [4b 23-0708 PO FasTrak Toll Tags Star Systems and Neology.pdf](#)
- 4c. [23-0709](#) Contract Amendment - Financial Advisory Services: PFM Financial Advisors LLC (\$300,000)
Action: Committee Approval
Presenter: Derek Hansel
Attachments: [4c 23-0709 Contract Amendment Financial Advisory Svcs PFM Financial](#) /
- 4d. [23-0711](#) Contract Amendment - Technical Assistance for FasTrak® Customer Service Center: HNTB Corporation (\$1,000,000)
Action: Committee Approval
Presenter: Lynn Valdivia
Attachments: [4d 23-0711 Contract Amend FasTrak Customer Service HNTB.pdf](#)
- 4e. [23-0737](#) Funding Agreement Amendment: Office of the BART Inspector General: Bay Area Rapid Transit District (\$11,600,000)
Action: Committee Approval
Presenter: Craig Bosman
Attachments: [4e 23-0737 Funding Agreement Amendment BART Inspector General.pdf](#)

- 4f. [23-0738](#) FasTrak® Customer Education and Marketing Contract Actions: i. Contract Amendment - Polytechnic Marketing LLC (\$2,600,000); ii. Contract Amendment - Kalamuna Inc. (\$400,000); iii. Contract Amendment - Caribou Public Relations, Inc. (\$350,000)
- Action: Committee Approval
- Presenter: Lysa Hale
- Attachments: [4f 23-0738 BATA Contract Actions Polytechnic Kalamuna Caribou.pdf](#)
- 4g. [23-0739](#) Equity Action Plan Contract Actions:
- i. Contract Amendment - Davis & Associates Communications, Inc. (\$500,000); and
- ii. Contract Amendment - HNTB Corporation (\$500,000)
- Action: Committee Approval
- Presenter: Lysa Hale
- Attachments: [4g 23-0739 Equity Action Plan Contract Actions.pdf](#)
- 4h. [23-0762](#) Contract Change Order- FasTrak® Regional Customer Service Center Support of the Open Road Tolling Program: Conduent State and Local Solutions, Inc. (\$200,000)
- Action: Committee Approval
- Presenter: Eric Davis
- Attachments: [4h 23-0762 Contract Change Order FasTrak Open Road Tolling Conduent](#)
- 4i. [23-0740](#) Contract Amendment - Project Management Support Services West Oakland Link Project: BayPac Consult Inc. (\$170,000)
- Action: Committee Approval
- Presenter: Gavin Lohry
- Attachments: [4i 23-0740 Contract Amend West Oakland Link Project BayPac Consult I](#)
- 4j. [23-0889](#) Draft Bay Area Toll Authority (BATA) FY 2023-24 Operating and Capital Budgets
- Action: Information
- Presenter: Derek Hansel
- Attachments: [4j 23-0889 Draft BATA FY 2023-24 Operating and Capital Budgets.pdf](#)

5. Approval

- 5a. [23-0715](#) Regional Tolling Infrastructure Maintenance Services:
- i. Contract - Regional Tolling Infrastructure Maintenance Services: Yunex LLC (\$16,500,000); and
 - ii. Cooperative Agreement - Regional Tolling Infrastructure Maintenance Services: BAIFA, MTC, MTC SAFE

A request for approval for the following actions related to the Regional Tolling Infrastructure Maintenance Services contract (Contract) for providing comprehensive management and maintenance services for the seven state-owned toll bridge facilities to support toll equipment and for the express lanes highway infrastructure maintained by Bay Area Infrastructure Financing Authority (BAIFA) on a scheduled and as-needed basis:

- i. Negotiate and enter into a contract with Yunex LLC in an amount not to exceed \$16,500,000 through June 30, 2026, subject to the approval of future BATA and BAIFA budgets.
- ii. Enter into a Cooperative Agreement with BAIFA, Metropolitan Transportation Commission (MTC), and MTC Service Authority for Freeways and Expressways (MTC SAFE) to delegate authority to BATA for managing the maintenance of certain assets owned and/or operated by BAIFA, MTC, and MTC SAFE, respectively, through this Contract.

Action: Committee Approval

Presenter: James Go

Attachments: [5a 23-0715 Regional Tolling Infrastructure Maintenance Svcs Yunex BAIF/](#)

6. Public Comment / Other Business

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7. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority Oversight Committee will be held on Wednesday, July 12, 2023 at 9:35 a.m. at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

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Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Agenda

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, July 26, 2023

9:45 AM

Board Room – 1st Floor

The Bay Area Toll Authority (BATA) is scheduled to meet on Wednesday, July 26, 2023 at 9:45 a.m. or immediately following the 9:40 a.m. BAHFA meeting, in the Bay Area Metro Center at 375 Beale Street, Board Room (1st Floor). This meeting shall consist of a simultaneous teleconference call at the following location(s):
Pinole Public Library, 2935 Valley Road, Pinole, CA 94564 and
Ibis Ciboure, 13 rue Georges Olascuaga, 64500 Ciboure, France

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Authority Roster:

**Alfredo Pedroza (Chair), Nick Josefowitz (Vice Chair),
Margaret Abe-Koga, Eddie Ahn, David Canepa, Cindy Chavez, Carol Dutra-Vernaci,
Dina El-Tawansy*, Victoria Fleming, Dorene M. Giacomini*, Federal D. Glover,
Matt Mahan, Nate Miley, Stephanie Moulton-Peters, Sue Noack, Gina Papan,
David Rabbitt, Hillary Ronen, Libby Schaaf*, James P. Sperling, Sheng Thao**

***Non-Voting Members**

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of this Authority shall be a majority of its regular voting members (10).

2. Chair's Report**3. Consent Calendar**

- 3a.** [23-0920](#) Approval of the Authority Minutes of the June 28, 2023 Meeting

Action: Authority Approval

Attachments: [3a 23-0920 June 28 2023 BATA Draft Meeting Minutes.pdf](#)

4. Public Comment / Other Business

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5. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority will be held on Wednesday, September 27, 2023 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.

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Metropolitan Transportation Commission

375 Beale Street, Suite 800
San Francisco, CA 94105

Legislation Details (With Text)

File #: 23-0920 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 6/7/2023 **In control:** Bay Area Toll Authority

On agenda: 7/26/2023 **Final action:**

Title: Approval of the Authority Minutes of the June 28, 2023 Meeting

Sponsors:

Indexes:

Code sections:

Attachments: [3a_23-0920_June_28_2023_BATA_Draft_Meeting_Minutes.pdf](#)

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

Subject:

Approval of the Authority Minutes of the June 28, 2023 Meeting

Recommended Action:

Authority Approval



Bay Area Metro Center
375 Beale Street
San Francisco, CA 94105

Meeting Minutes

Bay Area Toll Authority

Alfredo Pedroza, Chair Nick Josefowitz, Vice Chair

Wednesday, June 28, 2023

9:45 AM

Board Room – 1st Floor

Chair Pedroza called the meeting to order at 11:00 a.m.

1. Roll Call / Confirm Quorum

Present: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Chavez, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Noack, Commissioner Moulton-Peters, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 3 - Commissioner Canepa, Commissioner Dutra-Vernaci and Commissioner Thao

Non-Voting Commissioners Present: Commissioner Giacomini and Commissioner Schaaf

Non-Voting Commissioner Absent: Commissioner El-Tawansy

2. Chair's Report

3. Consent Calendar

Upon the motion by Commissioner Glover and seconded by Commissioner Papan, the Authority unanimously approved the Consent Calendar by the following vote:

Aye: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Chavez, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Noack, Commissioner Moulton-Peters, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 3 - Commissioner Canepa, Commissioner Dutra-Vernaci and Commissioner Thao

3a. [23-0768](#) Approval of BATA Minutes of the May 24, 2023 Meeting

Action: Authority Approval

4. Authority Approval

- 4a. [23-0735](#) Bay Area Toll Authority (BATA) Resolution No. 169 - Fiscal Year (FY) 2023-24 Operating and Capital Budgets

A request for adoption of BATA Resolution No. 169, authorizing the FY 2023-24 Operating and Capital Budgets.

Action: Authority Approval

Presenter: Derek Hansel

Aleta Dupree was called to speak.

Upon the motion by Commissioner Glover and seconded by Commissioner Chavez, the Authority unanimously adopted BATA Resolution No. 169. The motion carried by the following vote:

Aye: 15 - Chair Pedroza, Vice Chair Josefowitz, Commissioner Abe-Koga, Commissioner Ahn, Commissioner Chavez, Commissioner Fleming, Commissioner Glover, Commissioner Mahan, Commissioner Miley, Commissioner Noack, Commissioner Moulton-Peters, Commissioner Papan, Commissioner Rabbitt, Commissioner Ronen and Commissioner Spering

Absent: 3 - Commissioner Canepa, Commissioner Dutra-Vernaci and Commissioner Thao

5. Public Comment / Other Business

Aleta Dupree was called to speak.

6. Adjournment / Next Meeting

The next meeting of the Bay Area Toll Authority will be held on Wednesday, July 26, 2023 at the Bay Area Metro Center, 375 Beale Street, San Francisco, CA. Any changes to the schedule will be duly noticed to the public.



Mark Baker <mbaker@softlights.org>

Caltrans ADA Access Request #11313

Maurer, Maxwell@DOT <Maxwell.Maurer@dot.ca.gov>
To: "mbaker@softlights.org" <mbaker@softlights.org>

Tue, Sep 24, 2024 at 11:26 AM

Dear Mark Baker:

Caltrans has completed its investigation of your ADA access request #11313, regarding the proposed project to reinstall aesthetic LED lights on the San Francisco – Oakland Bay Bridge ("Bay Bridge Lights"). We have determined that your request cannot be addressed by the ADA Infrastructure Program at this time for the following reason:

The proposed project you mentioned is currently going through the review and approval process and therefore no accessibility barriers exist at present.

We have forwarded your request to the Caltrans District 4 Public Information Office (PIO) which disseminates public information regarding Caltrans, its operations and activities. You may contact the District 4 PIO at:

Bart Ney, Chief Public Information Officer, District 4
111 Grand Avenue
Oakland, CA 94612
Phone: (510) 715-7212

Thank you for sharing your concerns regarding the Bay Bridge Lights. If you have questions or would like additional clarification regarding your inquiry, please contact me at ada.compliance.office@dot.ca.gov.

Sincerely,

12/21/24, 2:25 AM

Soft Lights Mail - Caltrans ADA Access Request #11313

MAX MAURER

ADA Coordinator

ADA Infrastructure Program