



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

1333 BROADWAY, SUITE 220 • OAKLAND, CA 94612 • PHONE: (510) 836-2560 • FAX: (510) 836-2185
E-MAIL: mail@accma.ca.gov • WEB SITE: accma.ca.gov

July 22, 2010
Agenda Item 6.5.2

Memorandum

DATE: July 13, 2010
TO: Alameda County Transportation Commission
FROM: ACCMA Plans and Programs Committee
RE: MTC Safe Routes to Schools: Proposed Final Program

Action

It is recommended that the Alameda County Transportation Commission (ACTC or Alameda CTC): 1) Approve the Proposed Final Alameda County SR2S program and 2) Approve ACTC Resolution 10-02. The program identifies four components as well as recommended funding for each component. A final program is due to MTC by July 31st.

Discussion

The Safe Routes to Schools (SR2S) program is a new MTC grant program (under the Climate Initiatives category of the Regional Transportation Plan). The ACTC will administer the new countywide program. Public workshops were held to review current SR2S efforts in Alameda County and discuss how to build on and improve these efforts through a new countywide SR2S program.

The MTC SR2S program is estimated to make \$3.22 million available to Alameda County, funded with federal Congestion Mitigation and Air Quality (CMAQ) funds. The CMAQ funding requires an 11.5% local funding match, which will be funded by Measure B Bicycle and Pedestrian Safety Funds (up to \$420,000 approved by ACTIA May 27, 2010), bringing the total funding available to \$3.64 million. CMAQ funding requires projects to provide a measurable decrease in vehicle emissions, which is not required for the existing Caltrans-administered SR2S programs.

In the development of the program, the tasks completed included:

- Identifying a structure for a countywide program with four elements:
 - Elementary and Middle Schools (continuing and expanding the existing safe routes to schools effort)
 - High Schools (new effort)
 - School Commute Alternatives Program (new effort)
 - Capital Projects (including Technical Assistance to provide project development resources and other SR2S Staff Resource Assistance)
- Identifying program level funding targets for each of the above program components;
- Considering input received from stakeholders;
- Working with MTC to clarify CMAQ eligible program activities and funding availability;
- Considering funding strategies and/or exchanges that can supplement or enhance the SR2S Program and fund SR2S activities that are ineligible for CMAQ; and
- Developing a strategy for the ongoing funding of the program.

The program is detailed in the companion agenda item 6.4.1 including:

Proposed Final Program Description	Agenda Item 6.4.1 Attachment A
Proposed Final Program Funding	Agenda Item 6.4.1 Attachment B

A summary of issues that were discussed over the last few months include:

- Through the input we have received over the last few months, there is a wide range of ideas regarding the size and amount of resources that should be devoted to the high school level SR2S programs. Based on comments received through the Draft SR2S program review, the goals for the high school program have been increased.
- Through the input we have received over the last few months, there is a wide range of ideas regarding the size and amount of resources that should be devoted to the School Commute Alternatives Program component of the SR2S program. Staff submitted an application for regional funds to supplement this effort. We understand that the request was not ranked high enough to receive funding.
- Through the input we have received over the last few months, there is a strong level of support for the Capital component of the program. The program includes a Capital component and project development component. The Proposed Final program also includes an additional element titled "Staff Resource Assistance". Additional detail regarding the three components are included in the companion agenda item 6.4.1 Attachment D. ACTAC also expressed an interest in financial assistance for local agency staff time associated with SR2S staff resources and project development efforts. Staff is researching the possibility of a program administrative structure that meets federal aid requirements to facilitate a financial assistance strategy within the Staff Resource Assistance. The successful implementation of the program will be dependent on fund sources that are eligible to implement this service.
- Staff understands that there may be a certain amount of STP (non-CMAQ) federal funds available for the MTC SR2S program. STP would provide more flexibility to fund items such as the proposed Walking Audits (in the K-8 Element) and the Staff Resource Assistance (in the Capital Program Element) tasks. Staff continues to work with MTC to include these funds in the final program.

MTC has also received SR2S bike program related proposals in Alameda County for the Regional Competitive SR2S program. Staff is working with MTC staff to determine if the proposals received may complement the County SR2S program components.

As the ACTC is proposed to administer a portion of these funds, a Resolution of Local Support is required.

It is recommended that the ACTC approve the Proposed Final Alameda County SR2S program and ACTC Resolution 10-02.

Next Steps

A final program is due to MTC by July 31, 2010.

Attachment:

Attachment A: ACTC Resolution 10-02

Other Related Attachments:

Agenda Item 6.4.1 Attachment A: SR2S Proposed Final Program

Agenda Item 6.4.1 Attachment B: SR2S Proposed Final Program Funding

Agenda Item 6.4.1 Attachment C: Summary of Estimated Costs for K-8 Components

Agenda Item 6.4.1 Attachment D: Summary of Estimated Costs for Capital Program

**Alameda County Transportation Commission
Resolution of Local Support
STP/CMAQ Funding
Resolution No. 10-002**

Authorizing the filing of an application for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) funding and committing the necessary non-federal match and stating the assurance to complete the project

WHEREAS, the Alameda County Transportation Commission (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$3,220,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program for the Alameda County Safe Routes to Schools Program (herein referred to as PROJECT) for the MTC Resolution, No. 3925, New Federal Surface Transportation Act (FY 2009-10, FY 2010-11 and FY 2011-12) Cycle 1 STP/CMAQ Program: Project Selection Criteria, Policy, Procedures and Programming (herein referred to as PROGRAM); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) authorized the Surface Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) through September 30, 2009; and

WHEREAS, SAFETEA has been extended through December 31, 2010 pursuant to Public Law 111-147, March 18, 2010 and may be subsequently extended pending enactment of successor legislation for continued funding; and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of STP/CMAQ funds; and

WHEREAS, APPLICANT is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) that the project will comply with the procedures specified in Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- 4) the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's TIP; and
- 5) that the project will comply with all the project-specific requirements as set forth in the PROGRAM.; and that the project (transit only) will comply with MTC Resolution No. 3866, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA, any extensions of SAFETEA or any successor legislation for continued funding; and be it further

RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide \$418,418 in non-federal matching funds; and
2. APPLICANT understands that the STP/CMAQ funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional STP/CMAQ funding; and
3. APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, as revised); and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. APPLICANT (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866; and
6. APPLICANT and the PROJECT will comply with the requirements as set forth in the program; and therefore be it further

RESOLVED that APPLICANT is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for STP/CMAQ funds for the PROJECT; and be it further

RESOLVED that there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED that APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for STP/CMAQ funding for the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's TIP.

DULY PASSED AND ADOPTED by the Alameda County Transportation Commission at the regular meeting of the Board held on Thursday, July 22, 2010 in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

Chairperson

ATTEST:

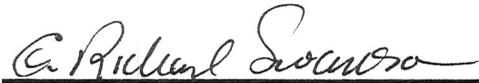
Gladys V. Parmelee, Clerk of the Board

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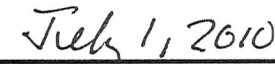
**Quarterly Investment Report For the Quarter:
April 1- June 30, 2010**

*Agenda Item 6.6.1
July 22, 2010*

Security Type	Issuer	Credit Rating	Yield to Maturity	Purchase Date	Maturity Date	Purchase Price/Cost	Current Market Value	Unrealized Gain or (Loss)	Yield at Maturity
Local Agency Investment Fund						20,649,115		(as of 06/30/10)	
Total Invested						\$20,649,115			



G. Richard Swanson, Director of Finance and Administration



Date: July 1, 2010

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Quarterly SBE and LBE Report

Summary of Contracts (>\$50,000) Awarded from July 2009 through June 2010

Professional Services											
Project/Contract Name	Contract Type/ Service	Contract Number	Contract Date	Prime	Subs	Firm Location	Fund Source	Total \$ Amount	Alameda Local Business	East Bay Local Business	SBE Firm
440.0 Webster Street SMART Corridor Project	Intelligent Transportation Systems Services	A09-006	7/21/09	TJKM Consultants, Inc.		Pleasanton, CA	RM2	\$ 265,207	\$ 265,207	\$ 265,207	\$ 265,207
								Contract Total:	\$ 265,207	\$ 265,207	\$ 265,207
210.5 I-680 Southbound SMART Carpool Lane Project	Scheduler Services	A09-010	7/24/09	S & C Engineers, Inc.		Oakland, CA	Measure B	\$ 59,100	\$ 59,100	\$ 59,100	\$ 59,100
								Contract Total:	\$ 59,100	\$ 59,100	\$ 59,100
420.4 I-580 Westbound HOV Lane to HOT Lane Conversion Project	Cost/ Revenue and Operations Analysis Services	A09-003	8/17/09	URS Corporation		Oakland, CA	RM2	\$ 197,502	\$ 197,502	\$ 197,502	
					EconoWest		\$ 75,812				
					Dowling & Associates		\$ 65,960	\$ 65,960	\$ 65,960		
					Wilbur Smith & Associates		\$ 60,750				
								Contract Total:	\$ 400,024	\$ 263,462	\$ 263,462
100.0 Auditor	Audit Services	A09-001	8/10/09	Kevin Harper & Associates		Union City, CA	CMATIP	\$ 91,500	\$ 91,500	\$ 91,500	\$ 91,500
								Contract Total:	\$ 91,500	\$ 91,500	\$ 91,500
372.0 I-680 Northbound & Southbound HOT/HOV Lane Project	Scheduler Services	A09-011	7/24/2009	S & C Engineers		Oakland, CA	STIP	\$ 159,174	\$ 159,174	\$ 159,174	\$ 159,174
								Contract Total:	\$ 159,174	\$ 159,174	\$ 159,174
100.0 Computer Support	Administrative Computer Support	A08-029	9/3/09	Novani		San Francisco	CMATIP	\$ 70,000		\$ 70,000	\$ 70,000
								Contract Total:	\$ 70,000	\$ 70,000	\$ 70,000
420.4 I-580 Eastbound Hot Lane Project	Scoping Services	A08-018.A1	8/17/09	URS Corporation		Oakland, CA	RM2	\$ 750,000	\$ 565,711	\$ 565,711	
								Contract Total:	\$ 750,000	\$ 565,711	\$ 565,711
210.4 - I-680 SMART SMART Carpool Lane Project	Systems Manager Services	A04-007	9/9/2009 & 6/7/10	Wilbur Smith & Associates		New Haven, CN	RM2	\$ 599,620			
								Contract Total:	\$ 599,620	\$ -	\$ -
402.0 - Grand MacArthur Corridor Enhancements Project	Construction Management Services	A07-020	10/20/2009	S & C Engineers		Oakland, CA	RM2	\$ 127,605	\$ 127,605	\$ 127,605	\$ 127,605
								Contract Total:	\$ 127,605	\$ 127,605	\$ 127,605
210.5 - I680 SMART Carpool Lane Project	Public Education & Marketing Services	A06-019.A2 & A06-019.A3	11/23/2009 & 6/3/10	Solem & Associates		San Francisco	STIP, PPM	\$ 682,000		\$ 682,000	
								Contract Total:	\$ 682,000	\$ -	\$ 682,000
219.2 - Livermore BART Station Area Visioning Process Project	Professional Services	A09-018	12/8/2009	Nelson Nygaard Consulting Services		San Francisco	STP	\$ 146,013	\$ 146,013	\$ 146,013	
								Contract Total:	\$ 146,013	\$ 146,013	\$ 146,013
424.0 - I-580 WB HOV Project	Professional Services	A07-011.BKF.PH2	12/10/2009	BKF Engineers		Pleasanton, CA	RM2	\$ 438,623	\$ 438,623	\$ 438,623	\$ 210,720
								Contract Total:	\$ 438,623	\$ 438,623	\$ 438,623
416.0 - I-580 Corridor Ramp Metering Project	Professional Services	A09-019	12/17/2009	WMH Corporation		Oakland, CA	STP, CMAQ	\$ 210,720	\$ 210,720	\$ 210,720	\$ 210,720
								Contract Total:	\$ 210,720	\$ 210,720	\$ 210,720

Quarterly SBE and LBE Report

July 22, 2010
Agenda Item 10.6.2

Summary of Contracts (>\$50,000) Awarded from July 2009 through June 2010

Professional Services											
Project/Contract Name	Contract Type/Service	Contract Number	Contract Date	Prime	Subs	Firm Location	Fund Source	Total \$ Amount	Alameda Local Business	East Bay Local Business	SBE Firm
478.0 San Pablo Avenue TSP/Transit Improvement Project	Professional Services	A09-022	2/1/2010	Western Pacific Signal, LLC		San Leandro	Local	\$ 126,170	\$ 126,170	\$ 126,170	\$ 126,170
Contract Total:								\$ 126,170	\$ 126,170	\$ 126,170	\$ 126,170
201.0 Congestion Management Program	Professional Services	A09-024	2/26/2010 & 6/21/10	Jacobs Engineering		Oakland, CA	STP	\$ 484,490	\$ 484,490	\$ 484,490	
Contract Total:								\$ 484,490	\$ 484,490	\$ 484,490	\$ -
282.0 Vehicle Registration Fee	Professional Services	A09-026	3/9/2010	Gray-Bowen		Walnut Creek, CA	Local	\$ 251,763		\$ 251,763	
Contract Total:								\$ 251,763	\$ -	\$ 251,763	\$ -
420.0 I-580 HOV Lane Project	Professional Services	A05-014.A5	2/1/2010	TY Lin, Inc.		Oakland, CA	CMA, STIP	\$ 325,000	\$ 325,000	\$ 325,000	
Contract Total:								\$ 325,000	\$ 325,000	\$ 325,000	\$ -
Program and Various Transportation Projects	Professional Services	A07-004.2	5/17/2010	Alameda Program Managers		Oakland, CA	CMAQ, STIP and Measure B and other funds	\$ 937,428	\$ 937,428	\$ 937,428	
Contract Total:								\$ 937,428	\$ 937,428	\$ 937,428	\$ -
423.0 I-580 ROW Project	Professional Services	A07-011.A2	4/21/2010	TY Lin, Inc.		Oakland, CA	TCRP, Measure B, RM2	\$ 295,000	\$ 295,000	\$ 295,000	
Contract Total:								\$ 295,000	\$ 295,000	\$ 295,000	\$ -
420.5 I-580 EB Auxiliary Lane Project	Professional Services	A08-017.A1	6/1/2010	TY Lin, Inc.		Oakland, CA	RM2	\$ 344,720	\$ 344,720	\$ 344,720	
Contract Total:								\$ 344,720	\$ 344,720	\$ 344,720	\$ -
Professional Services Total:								\$ 6,764,157	\$ 4,839,923	\$ 5,843,686	\$ 1,320,196
Percentage Awarded (7/1/09-6/30/10)									72%	86%	20%
CMA Adopted Goals									LBE 70%		SBE 15%
<p><i>Report Notes:</i> This report includes all contracts over \$50,000 awarded or amended from July 2009 through June 2010. This report excludes office rent, utilities, HR, and Agency benefits, and the Agency's Sacramento and D.C. Representatives. If a contract was awarded prior to the reporting period of FY 09/10, only the contract amendments and change orders that were executed during FY 09/10 have been included in this report.</p>											

Quarterly DBE Report

Summary of Contracts (>\$50,000) Awarded from October 2009 through June 30, 2010									
Professional Services									
Project/Contract Name	Contract Type/ Service	Contract Number	Contract Date	Prime	Subs	Firm Location	Fund Source	Total \$ Amount	DBE Firm
491.0 - I80 Integrated Corridor Mobility Project	Systems Integrator / Manager Services	A07-007.Ph3	10/19/2009	Kimley Horn		Oakland, CA	CMAQ	\$112,734	
Contract Total:								\$112,734	\$ -
416.0 - I-580 Corridor Ramp Metering Project	Professional Services	A09-019	12/17/2009	WMH Corporation		Oakland, CA	CMAQ	\$210,720	
Contract Total:								\$210,720	\$ -
415.0 - Center to Center Program Communications Project	Professional Services	A08-009.A1	3/8/2010	DKS & Associates		Oakland, CA	CMAQ	\$318,636	
Contract Total:								\$318,636	\$ -
420.4 I-580 EB HOT Lane Project	System Integrator	A09-007	5/20/10	Electronic Transaction Consultants, Inc.		Richardson, TX	ARRA	\$ 4,907,527	
					Rosendin Electric	San Jose, CA		\$ 316,000	
					Richard Brady & Associates	San Diego, CA		\$ 900,000	\$ 900,000
					Aeko Consulting	Oakland, CA		\$ 195,500	\$ 195,500
Contract Total:								\$ 6,319,027	\$ 1,095,500
Percentage of Awarded								\$6,961,117	\$1,095,500
Percentage Awarded (10/1/09-6/30/10)									16%
Annual Anticipated DBE Participation Level (AADPL) for Federal FY 09/10									5.4%

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*July 22, 2010
Agenda Item 6.6.3*

Memorandum

DATE: July 12, 2010
TO: Alameda County Transportation Commission
FROM: Administration and Legislation Committee
SUBJECT: Route 84/ Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) - Authorization to Accept Construction Contract

Action Requested:

It is recommended that the Commission accept the completed construction contract with O. C. Jones & Sons, Inc. for the Route 84/ Ardenwood Boulevard Park and Ride Lot Project (Regional Measure 2 Project 29.5) through the adoption of ACTC Resolution 10-001.

Discussion:

The Alameda County CMA, in partnership with AC Transit, developed the scope of the project and secured its funding. Regional Measure 2 (RM2) and Alameda County Measure B funds were used to plan, design and construct improvements at the Ardenwood Park & Ride in Fremont. The project scope included: expanding the capacity of the existing park-and-ride lot by adding an additional 250 parking stalls; constructing a new bus stop; installing bike parking facilities; and installing a guard booth. Construction activities included demolition of the existing Golf & Go-Kart facility, grading, asphalt paving, drainage, placement of a prefabricated building, electrical and telephone utilities, and landscaping. During construction the project scope was expanded to include a restroom for AC Transit drivers, to place "NextBus" signs in the bus stop shelters, to upgrade the pavement at the bus exit and to provide security improvements.

The Route 84/ Ardenwood Boulevard Park and Ride Lot Project opened bids on July 7, 2008. On July 31, 2008, the CMA Board awarded contract A08-007 in the amount of \$1,620,446.35 to O.C. Jones & Sons, Inc. At that time the CMA Board also allocated \$165,000 for contingency and supplemental work. The CMA Board subsequently authorized \$470,000 for additional items of work requested by AC Transit and to incorporate City of Fremont review comments. A summary of contract cost at completion is provided below:

Contract Summary

- Awarded Contract Amount: \$1,620,446.35
- Total CCO Amount: \$ 610,360.89
- Total: \$2,230,807.24

On June 30, 2010, O.C. Jones & Sons, Inc. completed all contract work in accordance with the plans and specifications. The Construction Manager has recommended the acceptance of the completed contract as the Contractor has satisfied the contract requirements and completed the punch list items established in coordination with AC Transit, the City of Fremont and Caltrans.

RM2 and Measure B funds totaling \$8.2 Million were programmed for the Route 84/ Ardenwood Boulevard Park and Ride Lot Project. There will be approximately \$600,000 in project savings will remain after project closeout. Alameda CTC and AC transit staff will work with the MTC to identify an appropriate use for the project savings.

Financial Impact to the Budget:

The project contract was completed within the allocated budget for construction including contingencies. There are no financial impacts to the approved CMA budget due to these actions.

Attachment: ACTC Resolution 10-001



ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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Memorandum

July 22, 2010
Agenda Item 6.6.4

DATE: July 12, 2010
TO: Alameda County Transportation Commission
FROM: Administration and Legislation Committee
SUBJECT: I-680 Express Lane Project: Professional Services and Co-Location Contracts.

Action Requested

It is recommended that the Commission take the following actions in support of delivering the I-680 Express Lane project:

1. Authorize the ACCMA Executive Director, or his Designee, to negotiate and execute a contract for an amount not to exceed \$750,000 to provide construction management services and Express Lane operations and management oversight.
2. Authorize the ACCMA Executive Director, or his Designee, to negotiate and execute a contract for an amount not to exceed \$100,000 to build up and maintain a Toll Data Center (TDC) Co-Location. This TDC will be in addition to the TDC located at the CMA offices and will serve as the Disaster Recovery Location.

Funding for these actions will be provided from grant funds currently programmed to the ACCMA and included in the approved project budget.

Discussion

Action 1:

The I-680 improvements consisting of upgrading the existing HOV Lane to bring it to full standards, widening of the roadway and other infrastructure elements to implement the Express Lane and rehabilitation of the roadbed was split into six contracts, including three for construction, one for system integration, one for mitigation and one for landscaping. These projects are scheduled for completion over the next several months.

The Express Lane is scheduled to be opened in September of this year. Complete closeout of the HOV and rehab construction contracts is not expected to be completed until December 2010. The mitigation contract was awarded by Caltrans in June 2010. Construction for this contract will last a year, and closeout not scheduled until 2012 to allow for 2 years of plant establishment.

While Caltrans is administering the construction contracts, the ACCMA is providing an oversight of the management of the construction contracts. This oversight and construction management is estimated to cost \$250,000 over the next two years.

The oversight of the operations of the System Integrator contract is another responsibility of the ACCMA. This action will continue the ACCMA effort to provide construction management oversight of the ETS contracts and provide for the operations and maintenance of the Express Lane for the first two years of operations. These activities are estimated to cost \$500,000 through December 2012.

The estimated cost for the above reference activities is \$750,000 which will be funded from the approved project budget.

Action 2:

The Electronic Toll System (ETS) is controlled by a set of several servers that must be housed in an appropriate location that is adequately secured and properly ventilated with sufficient telecommunications access to link to the ETS equipment installed along the Sunol Corridor. The Toll Data Center (TDC) is the physical room in which the computer servers used to operate the Electronic Toll System (ETS) reside. The main location of the Toll Data Center (TDC) is located at the ACCMA offices. However, to create redundancy and to ensure un-interrupted operations to the ETS should there be a failure at the ACCMA TDC (power, communications), another location away from ACCMA offices is needed. This co-location will host another set of the ETS servers and will communicate with the TDC at ACCMA. Should there be a failure to the TDC at ACCMA, the co-location will take over of the ETS. Staff recommends utilizing the Farm House at 200 Paul Street, in San Francisco, the same location that houses the SMART Corridor servers. This place has alternative means for power, several communication networks, properly ventilated, and is monitored 24 hours 7 days a week.

The estimated costs to provide the TDC equipment and the annual rent of the co-location are \$100,000 which will be funded from the approved project budget.

Financial Impact to the CMA Budget

Costs and revenues associated with this action are included in the approved ACCMA budget.

Meeting Date: June 10, 2010

**Alameda County Transportation Improvement Authority's
Bicycle and Pedestrian Advisory Committee
Roster and Attendance Fiscal Year 2010/2011**

	Suffix	Last Name	First Name	City	Appointed By	Term Began	Re- apptmt.	Term Expires	Mtgs Missed Since July '10*
1	Mr.	Boyer	David	Union City	Mayor Mark Green, Union City	Nov-06	Nov-08	Nov-10	0
2	Mr.	Chen	Alexander	Fremont	Supervisor Scott Haggerty, District 1	Oct-09		Oct-11	0
3	Ms.	Gigli	Lucy	Alameda	Supervisor Alice Lai-Bitker, District 3	Jan-07	Jan-09	Jan-11	0
4	Ms.	Greenhut	Marcy	Berkeley	Mayor Beverly Johnson, Alameda	Oct-05	Dec-07	Dec-09	0
5	Mr.	Johnson	Gil	San Leandro	Mayor Anthony Santos, San Leandro	Oct-03	Jan-10	Jan-12	0
6	Mr.	Jordan	Preston	Albany	Supervisor Carson, District 5	Oct-08		Oct-10	0
7	Mr.	Salomone	Anthony	Union City	May Marshall Kamena, Livermore	Jan-10		Jan-12	0
8	Mr.	Kirby	Glenn	Hayward	Supervisor Steele, District 2	Oct-03	Jan-10	Jan-12	0
9	Ms.	Tabata	Midori	Oakland	Councilmember Rebecca Kaplan, City of Oakland	Jul-06	Sep-08	Sep-10	0
10	Mr.	Van Demark	Tom	Oakland	Supervisor Miley, District 4	Oct-04	Jan-09	Jan-11	0
11	Ms.	Welsh	Ann	Pleasanton	Mayor Jennifer Hosterman, Pleasanton	Oct-09		Oct-11	0

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**Alameda County Transportation Improvement Authority,
Citizens Advisory Committee (CAC)**

DRAFT Meeting Minutes for Thursday, April 15, 2010

CAC Members present: Val Chinn, Cynthia Dorsey, Emily Duncan, Barry Ferrier, Frances Hilliard, Alton Jefferson, Audrey LePell, Frank Rose, and Hale Zukas

Staff present: Christine Monsen, Tess Lengyel, Keonnis Taylor, David Reynoso

Guests present: Lou Hexter, MIG; Jane Lewis, PAPCO; Carmen Rivera-Hendrickson, PAPCO; Brock Roby, Pleasanton resident; Harriette Saunders, PAPCO; and George Zika, CWC

1. Welcome and Introductions

Barry Ferrier called the meeting to order at 5:35 p.m. CAC members, ACTIA staff, and guests introduced themselves.

a) Public Comment

There were no public comments.

b) Approval of January 21, 2010

Audrey LePell would like to correct her organization listed under CAC Member/Outreach Reports in the CAC January 21, 2010 Meeting Notes to Hayward Area Shoreline Planning Agency Citizens Advisory Committee. Furthermore, in the same section, Cynthia Dorsey said the date is March 28 rather and March 21.

Frank Rose made a motion to approve the minutes with the corrections listed. Frances Hilliard seconded the motion. The motion carried unanimously.

2. Election of Vice Chair

Barry Ferrier announced to the committee that Catherine Souders-Mahanpour has resigned from her position as vice-chair, and therefore, the CAC needs to appoint a new vice-chair.

Val Chinn made a motion to nominate Cynthia Dorsey as CAC Vice-Chair. Frank Rose seconded the motion. The motion carried unanimously.

3. Overview of ACTIA and CAC Outreach Efforts

a) Staff Overview of ACTIA Outreach and Materials

Keonnis Taylor began the discussion of ACTIA's Outreach efforts and materials. She suggested that all CAC members make connections and let her know about potential outreach events. She mentioned that the ACTIA Outreach Messaging on page 13 of the CAC Packet includes key messages and speaking points that members can use for outreach about ACTIA's efforts and Measure B funding.

CAC members expressed concerns with the current outreach efforts, and suggested ACTIA send an e-mail to CAC members about outreach events. Staff advised CAC members to contact Keonnis via telephone about outreach events.

b) Outreach Goals, Objectives, Implementation, and Discussion

Barry Ferrier gave a quick summary of the purpose of outreach, and expressed that there are 1.5 million people in Alameda County, adding that the current 928 signed up to the e-newsletter should increase. Furthermore, Barry asked the committee for ways to promote the e-newsletter more effectively and ways to promote the new website.

The committee gave the following suggestions:

- Create business-size cards that specifically promote the ACTIA website, such as the tri-fold cards.
- Include on the website links to archives of projects funded by ACTIA, and document project history with photos.
- Send out an e-mail periodically with website updates and items to attract the public.
- Ensure that all jurisdictions have a visible link to the website.

Barry requested that everyone be prepared with concrete ideas for the next CAC meeting.

c) ACTIA Web Site Renovation Update

Lou Hexter from MIG led the discussion on the new website. Lou emphasized the new website is more user friendly and has eye-appealing content such as photos and moving fonts. The following are the key elements of the website:

- Navigation – Movement from page to page; the look and feel of the website
- Calendar – Calendar of ACTIA events and meeting schedules
- News – ACTIA news
- E-notifier – All users can sign up for updates, create a login and password to access information, and customize information they want to receive from ACTIA.
- Shortcuts – These go to the top three pages on site.
- Project and Program Maps – These maps show the physical location of ACTIA active projects and programs, and include a brief description.
- Photo/Video Library – This holds photos and videos that visitors can view.

The website launched on February 11, 2010; however, modifications and improvements are ongoing.

The following are urgent corrections/comments by CAC members:

- Correct the meeting locations and agendas.
- Improve printing from the site. When printing website pages, the format is incorrect and the fonts are illegible because they are too small or the color is very light.

Keonnis Taylor said people should provide any input and comments about the website to her.

4. CAC Member/Outreach Reports

- Audrey LePell stated that she received in the mail a letter about awards for improving transportation issues. MTC requests nominations of anyone who is outstanding in the transportation field by April 30.
- Audrey said that in Hayward there is one sign about the mini-loop system. She said that she could not see the ACTIA name at all, and she would like to have it investigated.
- Audrey said it was very difficult to get a ride to Dublin City Hall.
- Frank Rose mentioned he would like presentations at senior centers about Active Transportation and an article written about it, to emphasize the benefits of these efforts to our health.
- Cynthia Dorsey said that on March 28, East Bay Paratransit had an 8 percent district-wide cut in service. She noted that the proposal was for 15 percent, but based on public input, the cut was 8 percent. Furthermore, she noted that the program received 6,000 comments and concerns regarding the cut. However, after the cut, there were fewer complaints than anticipated.
 - Cynthia would like to acknowledge Val Chinn for volunteering three days to spread the word about the aforementioned cuts.
- Frances Hilliard expressed her disappointment with ACTIA for not providing detailed directions to the Dublin City Hall via public transit, emphasizing that ACTIA should promote public transportation.

5. Staff Reports

Tess Lengyel spoke about the ACTIA merger with the Alameda County Congestion Management Agency (CMA). Tess said there is ongoing outreach to all City Councils to receive approval and support. Also, she mentioned that there is currently a national head-hunter search to begin recruitment for an executive director. The new executive director will be in place by November 2010. Due to the merger, Tess noted that there will be limited printing of materials and no reprinting of promotional items because of the ACTIA logo. Furthermore, Tess mentioned that both the ACTIA and CMA Boards are establishing a Merger Steering Committee, Technical Advisory Working Group, and a Community Advisory Working Group.

Tess also announced that ACTIA has been selected for a few awards: Women in Transportation, the Rosa Parks Diversity Award, and one of the top three for an award from the California Transportation Foundation for Projects.

6. Adjournment/Next Meeting

The meeting adjourned to the East County Transportation Forum at 6:50 p.m. The next meeting is an organizational meeting on June 17 at 5:30 p.m. at the ACTIA offices.

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**Alameda County Transportation Improvement Authority's
Citizen Advisory Committee
Roster and Attendance
Fiscal Year 2010/2011**

	Title	Last Name	First Name	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '10*
1	Ms.	Brown	Meredith	Oakland	Supervisor Nate Miley, D-4	Apr-07	Apr-09	Apr-11	0
2	Mr.	Castro	Norbert	San Leandro	Mayor Anthony Santos, San Leandro	Dec-07	Feb-10	Feb-12	0
3	Ms.	Chinn	Val	Hayward	Mayor Marshall Kamena, Livermore	Dec-99	Feb-10	Feb-12	0
4	Mr.	Collier	Joseph	San Leandro	Mayor Anthony Santos, San Leandro	Dec-09		Dec-11	0
5	Ms.	Dorsey	Cynthia	Oakland	Supervisor Keith Carson, D-5	Feb-02	Mar-09	Mar-11	0
6	Ms.	Duncan	Emily	Union City	Mayor Mark Green, Union City	Feb-10		Feb-12	0
7	Mr.	Ferrier	Barry	Union City	Mayor Mark Green, Union City	Jan-04	Jan-10	Jan-12	0
8	Ms.	Hilliard	Frances	Oakland	Supervisor Alice Lai-Bitker, D-3	Jun-02	Feb-10	Feb-12	0
9	Mr.	Hilson	Joseph	Hayward	Mayor Marshall Kamena, Union City	Dec-06	Dec-08	Dec-10	0
10	Mr.	Jefferson	Alton	San Leandro	Supervisor Alice Lai-Bitker, D-3	Sep-08		Sep-10	0
11	Dr.	Jindal	Roop	Hayward	Supervisor Scott Haggerty, D-1	Oct-03	Mar-10	Mar-12	0
12	Mr.	Kastriotis	Dimitris	Sunol	Supervisor Gail Steele, D-2	Dec-07	Jan-10	Jan-12	0
13	Mr.	Kent	Christopher	Albany	Supervisor Alice Lai-Bitker, D-3	Jan-07	Jan-09	Jan-11	0
14	Ms.	LePell	Audrey	Hayward	Supervisor Gail Steele, D-2	May-04	Jan-09	Jan-11	0
15	Ms.	Lorenzana-Campo	Pilar	Oakland	Councilmember Rebecca Kaplan	May-10		May-12	0
16	Mr.	Rose	Frank	Oakland	Supervisor Nate Miley, D-4	Sep-08		Sep-10	0
17	Mr.	Sebastian	Nicholas	Emeryville	Mayor Beverly Johnson, Alameda	Sep-07	Sep-09	Sep-11	0
18	Mr.	Sedlak	Mike	Pleasanton	Mayor Jennifer Hosterman, Pleasanton	May-10		May-12	0
19	Ms.	Souders-Mahanpour	Catherine	Union City	Mayor Mark Green, Union City	Oct-02	Sep-09	Sep-11	0

**Alameda County Transportation Improvement Authority's
Citizen Advisory Committee
 Roster and Attendance
 Fiscal Year 2010/2011**

	Title	Last Name	First Name	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '10*
20	Ms.	Stocking	Gerarda	Livermore	Supervisor Scott Haggerty, D-1	Oct-03	Mar-10	Mar-12	0
21	Ms.	Walker	Brenda	Oakland	Supervisor Nate Miley, D-4	Oct-09		Oct-11	0
22	Mr.	Washington	Ronald	Berkeley	Supervisor Keith Carson, D-5	Feb-02	Mar-09	Mar-11	0
23	Mr.	White	Darren	San Leandro	Mayor Anthony Santos, San Leandro	Sep-08		Sep-10	0
24	Mr.	Zukas	Hale	Berkeley	Supervisor Keith Carson, D-5	Feb-02	Mar-09	Mar-11	0
25		Vacancy			Mayor Beverly Johnson, Alameda				
26		Vacancy			Mayor Beverly Johnson, Alameda				
27		Vacancy			Mayor Jennifer Hosterman, Pleasanton				
28		Vacancy			Mayor Jennifer Hosterman, Pleasanton				
29		Vacancy			Mayor Marshall Kamena, Livermore				
30		Vacancy			Councilmember Rebecca Kaplan				
31		Vacancy			Councilmember Rebecca Kaplan				
32		Vacancy			Supervisor Gail Steele, D-2				
33		Vacancy			Supervisor Scott Haggerty, D-1				

ACTIA Citizens Watchdog Committee Meeting Minutes
Monday, June 14, 2010, 6:30 p.m., 1333 Broadway, Suite 300, Oakland

Attendance Key (A = Absent, P = Present)

Members:

<u> </u> P James Paxson, Chair	<u> </u> A Arthur Geen	<u> </u> P Dave Stark
<u> </u> P Jo Ann Lew, Vice Chair	<u> </u> A Earl Hamlin	<u> </u> A George Zika
<u> </u> P Pamela Belchamber	<u> </u> P James Haussener	<u> </u> P Hale Zukas
<u> </u> P Roger Chavarin	<u> </u> P Erik Jensen	
<u> </u> A Leonard Conly	<u> </u> A Melody Marr	
<u> </u> P Thomas Gallagher	<u> </u> P Harriette Saunders	

Staff:

<u> </u> P Christine Monsen, Executive Director	<u> </u> P Tess Lengyel, Programs and Public Affairs Manager
<u> </u> P Anees Azad, Finance and Administration Manager	<u> </u> P Angie Ayers, Acumen Building Enterprise
<u> </u> A Art Dao, Deputy Director	

Meeting Key (Action Items = A, Information/Discussion Items = I)

1. Welcome and Introductions - I

Vice Chair James Paxson called the meeting to order at 6:35 p.m. The meeting began with introductions and a review of the meeting outcomes. James welcomed the new CWC member Erik Jensen, appointed by the East Bay Bicycle Coalition (EBBC). The Vice Chair also announced Robert Raburn's resignation. Robert has been the chair of the CWC since its inception in June 2001 as appointed by the EBBC.

2. Public Comments - I

There were no public comments.

3. Approval of June 14, 2010 Minutes - A

James Haussener moved to approve the minutes as written. Roger Chavarin seconded the motion. The motion carried, with two abstentions, Dave Stark and Hale Zukas (8-0).

4. Election of Officers for Fiscal Year 2010-2011 - A

Tom Gallagher nominated James Paxson for Chair, and James Haussener nominated Jo Ann Lew as Vice Chair.

Roger Chavarin moved to close the nominations. Harriette Saunders seconded the motion.

Harriette Saunders moved to accept James Paxson for Chair and Jo Ann Lew as Vice Chair. Dave Stark seconded the motion. The motion carried unanimously (10-0).

5. Approval of Final Draft CWC Annual Report, Publication and Outreach - A

The discussion began with a review of the 8th annual report by CWC members. The members provided the following ideas for consideration:

- Modify “significant impact on projects and programs” to “significant impact on programs” (page 1).
- Include headings on the FY 08-09 Expenditures pie chart (page 1).
- Change “During FY 08-09, no ad-hoc committees met” to “During this reporting period, no ad-hoc committees convened.”
- Modify the footnote below the Measure B Actual vs. Anticipated Revenues chart to include the word “net” to represent what the dollars are reflected in the chart.
- Modify the Capital Projects Summary chart as follows:
 - Increase the font size on the Capital Projects Summary chart (page 5).
 - Add a note to refer readers to the ACTIA website for complete project status (page 5).
 - Delete ACTIA and only display the project number.
 - Move the Total Project Cost Estimate column before the 2000 Expenditure Plan Measure B Commitment column.

CWC members agreed to have ACTIA staff incorporate the changes and include the final report in the agenda packet for the next meeting.

6. Countywide Transportation Plan (CWTP) and Expenditure Plan Development Process Overview – I

Tess Lengyel led a discussion on the roles and responsibilities and representation on the newly formed Countywide Transportation Plan and Expenditure Plan Development Community Advisory Working Group (CAWG). ACTIA and the Alameda County Congestion Management Agency (CMA) are in the process of coordinating the updates of the Countywide Transportation Plan and Expenditure Plan for the sales tax reauthorization. The two Boards established a Steering Committee comprised of elected officials to lead these efforts. One of the actions by the Steering Committee is to create two additional groups, the CAWG and the Technical Advisory Working Group (TAWG) to advise the Steering Committee. The 27-member CAWG will review the vision, projects, programs, and will make comments and recommendations heard by both the Steering Committee and TAWG.

Tess requested three volunteers to apply for a position on CAWG. She mentioned that more than one member can submit an application, which the Steering Committee will review. The following CWC members volunteered to apply for an appointment:

- Pamela Belchamber
- Roger Chavarin
- Jo Ann Lew
- James Paxson
- Harriette Saunders

- Hale Zukas

Harriette Saunders moved that the six people named above apply for CAWG. Dave Stark amended the motion to place specific emphasis on James Paxson. The preference is the CWC Chair serve as the representative on CAWG.

Harriette Saunders moved to accept the six people named above with James Paxson as the preferred representative on CAWG. Dave Stark seconded the motion. The motion carried unanimously (10-0).

7. Final Strategic Plan Review – I

James O'Brien provided a handout of the Strategic Plan Executive Summary, which he presented. He encouraged CWC members to access the complete strategic plan document on the website at: http://www.actia2022.com/files/managed/Document/932/01e1_Final_FY2010-11_Strategic_Plan.pdf.

8. Final Current Year Budget and ACTIA Budget for Fiscal Year 2010/2011 Update – I-

Anees Azad provided an overview of the revised fiscal year 2009-2010 and the new fiscal year 2010-2011 budgets. Staff will recommend to the ACTIA Board approval of the budgets on June 24, 2010.

Anees announced that the net sales tax revenues for fiscal year 2009-2010 are \$91.2 million and the 2010-2011 sales tax revenues will continue to be the same. Anees also announced that the revised and current budgets reflect the adverse impact of the recession on ACTIA's sales tax revenues, which reduced the net sales tax revenues from \$101 million to \$90 million. Anees explained that the new budget includes outlays for the BART-to-Warm Springs and the I-680 Express Lane capital projects. A large special fund allocation is also included for the Expenditure Plan development as part of the Countywide Transportation Plan development process.

9. CWC Member Reports/Issues Identification

No members identified issues.

10. Staff Update

Christine Mosen announced that the end-of-year compliance report is available on the website if you wish to see details for each jurisdiction and determine if the cities with high balances are saving for a specific project.

CWC members suggested forming an ad-hoc committee to review the compliance report and generate an issues report if necessary. Members also suggested staff generate a report for the last five years for the City of Oakland and show Oakland's future plans. Staff suggested CWC review the City of Oakland information online. Each person interested should review this data and in the July meeting form an ad-hoc committee.

Christine Monsen informed the CWC committee that the ACTIA and CMA Boards will approve the Joint Powers Agreement for the Alameda CTC. The first meeting of the Alameda CTC Board will take place in July 2010. In June 2010, the Board ACTIA/ACTA Boards are terminating ACTA, and assets and responsibilities will transfer to ACTIA. ACTIA assets will transfer to Alameda CTC.

11. Adjournment/Next Meeting

The meeting adjourned at 8:40 p.m. The next meeting is July 12, 2010.

Meeting Date: July 12, 2010

**Alameda County Transportation Improvement Authority's
Citizen Watchdog Committee
Roster and Attendance
Fiscal Year 2010/2011**

		Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '10*
1	Ms.	Belchamber	Pamela	Berkeley	Alameda County Mayor's Conference, D-5	Mar-09		Mar-11	0
2	Mr.	Chavarin	Roger	Oakland	Alameda Labor Council AFL-CIO	Dec-08		Dec-10	0
3	Mr.	Conly	Leonard	Berkeley	Sierra Club	Jun-08		Jun-10	0
4	Mr.	Gallagher	Thomas	Pleasanton	Alameda County Mayors' Conference, D-1	Jan-08	Feb-10	Feb-12	0
5	Mr.	Geen	Arthur B.	Oakland	Alameda County Taxpayers Association	Jan-01		N/A	0
6	Mr.	Hamlin	Earl	Oakland	League of Women Voters	Sep-08		Sep-10	0
7	Mr.	Haussener	James	Castro Valley	Supervisor Nate Miley, D-4	Feb-10		Feb-12	0
8	Mr.	Jensen	Erik	Oakland	East Bay Bicycle Coalition	May-10		May-12	0
9	Ms.	Lew	Jo Ann	Union City	Alameda County Mayors' Conference, D-2	Oct-07	Feb-10	Feb-12	0
10	Ms.	Marr	Melody	San Leandro	Alameda County Mayors' Conference, D-3	Dec-09		Dec-11	0
11	Mr.	Paxson	James	Pleasanton	EBEDA	Apr-01		N/A	0
12	Ms.	Saunders	Harriette	Alameda	PAPCO	Jul-09		N/A	0
13	Mr.	Stark	Dave	Pleasanton	Supervisor Scott Haggerty, D-1	Mar-08	Mar-10	Mar-12	0
14	Mr.	Zika	George	Dublin	Alameda County Mayors' Conference, D-4	Feb-10		Feb-12	0
15	Mr.	Zukas	Hale	Berkeley	Supervisor Keith Carson, D-5	Jun-09		Jun-11	0
16		Vacancy			Supervisor Alice Lai-Bitker, D-3				
17		Vacancy			Supervisor Gail Steele, D-2				

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ACTIA Paratransit Advisory and Planning Committee Meeting Minutes
Monday, May 24, 2010, 1 p.m., 1333 Broadway, Suite 300, Oakland

Attendance Key (A = Absent, P = Present)

Members:

<u> P </u> Sylvia Stadmire, Chair	<u> P </u> Jane Lewis <u> A </u> Audrey Lord- Hausman	<u> P </u> Harriette Saunders
<u> A </u> Carolyn Orr, Vice-Chair	<u> P </u> Jonah Markowitz	<u> P </u> Will Scott
<u> P </u> Aydan Aysoy	<u> P </u> Betty Mulholland	<u> A </u> Maryanne Tracy- Bakers
<u> A </u> Larry Bunn	<u> A </u> Sharon Powers	<u> A </u> Ronald Washington
<u> P </u> Herb Clayton	<u> P </u> Vanessa Proee	<u> P </u> Renee Wittmeier
<u> P </u> Shawn Costello	<u> A </u> Carmen Rivera- Hendrickson	<u> P </u> Hale Zukas
<u> P </u> Herb Hastings		
<u> P </u> Joyce Jacobson	<u> P </u> Clara Sample	

Staff:

<u> P </u> Tess Lengyel, Programs and Public Affairs Manager	<u> P </u> Keonnis Taylor, Programs Coordinator
<u> P </u> Naomi Armenta, Paratransit Coordinator	<u> P </u> Angie Ayers, Acumen Building Enterprise
<u> P </u> Rachel Ede, Nelson/Nygaard	

Meeting Key (Action Items = A, Information/Discussion Items = I)

1. Welcome and Introductions - I

Sylvia Stadmire, PAPCO Chair, called the meeting to order at 1:10 p.m. The meeting began with introductions and a review of the meeting outcomes.

Guests Present: Andrew Balmat, ASEB; Jennifer Cullen, SSPTV; Kim Huffman, AC Transit; Kevin Laven, City of Emeryville; Hakeim McGee, City of Oakland; Chris Mullin, CIL Berkeley; Joann Oliver, City of San Leandro; Michelle Rousey, PAAB

2. Public Comments - I

Renee Wittmeier informed the PAPCO members of the memorial service for ex PAPCO member John Partridge who passed away on April 14, 2010.

Kim Huffman of AC Transit informed the committee that AC Transit is holding public hearings on Wednesday, May 26, 2010. The Board will hear comments on upcoming service changes and will declare a fiscal emergency. Kim stated that the public may submit comments online or by phone. Due to a fiscal emergency, AC Transit is considering options including – stopping weekend transportation, removing lines, and rearranging lines.

3. Approval of March 8, 2010 Minutes – A

Hale Zukas requested to change the word “rational” to “rationale” on page 2 of the minutes.

Jonah Markowitz moved that PAPCO approve the minutes with the change of “rational” on page 2. Herb Hastings seconded the motion. The motion carried unanimously.

4. Finance Subcommittee Status Report – I

Sylvia Stadmire gave the PAPCO committee an update on the Finance Subcommittee, which took place on April 28, 2010. Member discussions took place on some of the following:

- Measure B
- Mid-Year Report Data and Jurisdictions’ Program Plans for 10/11
- Funds Reserves, Net Revenues, and Deficits

5. Base Program MSL Recommendation – A

On May 3, 5, 7, and 10, the PAPCO Program Plan Review subcommittee reviewed paratransit programs and the Minimum Service Level (MSL) requests. The subcommittee and staff recommend that PAPCO make a recommendation to the ACTIA Board to approve \$7.75 million in pass-through funding for paratransit mandated and non-mandated programs and for two MSL Grants for a total of \$100,000.

Jonah Markowitz moved that PAPCO recommends that the Authority approve \$7.75 million in pass-through funding for paratransit programs. Herb Hastings seconded the motion. The motion carried unanimously.

Jonah Markowitz moved that PAPCO recommends that the Authority approve MSL Grants for the Cities of Oakland and San Leandro for a total of \$100,000. Betty Mulholland seconded the motion. The motion carried unanimously.

6. Update on Outreach

Tess Lengyel gave an introduction on ACTIA's approaches to general Outreach. Keonnis Taylor discussed the handout on outreach. Keonnis relayed the message to PAPCO that ACTIA relies on the community advisory members to carry the Measure B message to the community. Keonnis reiterated that the PAPCO Bylaws state that PAPCO members must participate in one outreach event a year. They can also attend transportation forums and help fill the PAPCO committee vacancies. She encouraged the members to help identify organizations to which ACTIA can send the *Access Alameda* guide. The guide is now printed in six languages and in Braille.

7. Bylaws Subcommittee Membership

On June 2, 2010 the PAPCO Bylaws Subcommittee will meet to discuss and make recommendations to amend the PAPCO Bylaws. The following PAPCO members volunteered for the subcommittee:

- Shawn Costello
- Herb Hastings
- Jane Lewis
- Betty Mulholland
- Rev. Carolyn Orr
- Vanessa Proee
- Carmen Rivera-Hendrickson
- Harriett Saunders
- Will Scott

8. Member Reports on PAPCO Mission, Roles, and Responsibilities Implementation

Sylvia Stadmire informed the committee of the Healthy Living Festival at the Oakland Zoo in July hosted by the United Seniors of Oakland.

On Wednesday, May 19, 2010, a senior injury prevention conference was held. Highland Hospital has an injury prevention clinic. The conference discussed topics such as health and travel training.

Sylvia Stadmire distributed a handout on a demonstration rally for seniors hosted by the United Seniors of Oakland and Alameda County on June 18 at noon.

On Wednesday, May 26, Community Resources for Independent Living (CRIL), along with many others, is going to Sacramento. The SEIU local union had four wheelchair spots for transportation. Contact Jose at 510.846.5435 if you wish to go.

9. Committee Reports

A. East Bay Paratransit Service Review Advisory Committee (SRAC)

When the 56 bus was cancelled, it left out many seniors and people with disabilities. SRAC will hold a meeting on June 1, 2010 at AC Transit to discuss this and related situations.

B. Citizens Watchdog Committee (CWC)

The next meeting is scheduled for Monday, June 14, 2010.

10. Mandated Program Reports

PAPCO members were invited to review the SRAC minutes in their packets.

11. Staff Updates

A. Annual Mobility Workshop Update

Rachel Ede of Nelson/Nygaard informed the committee that the Annual Mobility Workshop will be held on Friday, July 30, 2010 at the MTC auditorium. The time is to be determined. Currently, the planning for topics is in progress. The following schedule is being considered:

- Start the day with a panel presentation with related topics about resource constraints and state issues regarding funding. The panel will also address budget issues and set the stage for the afternoon, and may include information on hearings for transit in Sacramento.
- Lunch time resource fair: Have more theme tables, such as travel training, volunteer driving program, public partnerships, advocacy, etc. The setup will be the same as last year.
- In the afternoon, the speaker will be David Cyra, United We Ride Ambassador, who will speak about Mobility Management.

- The last session will focus on Alameda County and may touch on the Service Delivery Study that Nelson/Nygaard did.
- In the next two weeks, staff will distribute information on the Annual Mobility Workshop.
- The Chair will give a welcome, the sessions will be interactive, and PAPCO members will have an opportunity to share their input.

B. Staff Updates

Tess Lengyel gave an update on the merger with ACTIA and CMA. Tess discussed the process taking place to update the Countywide Transportation Plan and the Expenditure Plan. She provided an overview of the committees being formed to facilitate the development of these plans. The committees are: Countywide Transportation Plan and Expenditure Plan Development Steering Committee, the Community Advisory Working Group, and the Technical Advisory Working Group.

12. Adjournment/Next Meeting

The meeting adjourned at 3:30 p.m. The next meeting is planned for June 28, 2010.

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Meeting Date: July 30, 2010

**Alameda County Transportation Improvement Authority's
Paratransit Advisory and Planning Committee
Roster and Attendance
Fiscal Year 2010/2011**

	Title	Last	First	City	Appointed By	Term Began	Re- apptmt.	Term Expires	Mtgs Missed Since July '10"
1	Ms.	Aysoy	Aydan	Berkeley	City of Berkeley	Jul-09		Jul-11	0
2	Mr.	Bunn	Larry	Union City	Union City Transit	Jun-06		Jun-10	0
3	Mr.	Clayton	Herb	Hayward	Supervisor Gail Steele, D-2	Sep-03	Mar-07	Mar-11	0
4	Mr.	Costello	Shawn	Dublin	LAVTA	Sep-08		Sep-10	0
5	Mr.	Hastings	Herb	Dublin	Supervisor Scott Haggerty, D-1	Mar-07	Mar-09	Mar-11	0
6	Ms.	Jacobson	Joyce	Emeryville	City of Emeryville	Mar-07	Mar-09	Mar-11	0
7	Ms.	Lewis	Jane	Dublin	City of Livermore	Sep-09		Sep-11	0
8	Ms.	Lord-Hausman	Audrey	Alameda	City of Alameda	Mar-09	Mar-09	Mar-11	0
9	Mr.	Markowitz	Jonah	Berkeley	Supervisor Keith Carson, D-5	Dec-04	Mar-09	Mar-11	0
10	Ms.	Mulholland	Betty	Oakland	Supervisor Nate Miley, D-4	Sep-09		Sep-11	0
11	Rev.	Orr	Carolyn M.	Oakland	Councilmember Rebecca Kaplan	Oct-05	May-10	May-12	0
12	Ms.	Powers	Sharon	Fremont	City of Fremont	Dec-07	Jan-10	Jan-12	0
13	Ms.	Proee	Vanessa	Hayward	City of Hayward	Mar-10		Mar-12	0
14	Ms.	Rivera-Hendrickson	Carmen	Pleasanton	City of Pleasanton	Sep-09		Sep-11	0
15	Ms.	Rousey	Michelle	Oakland	Supervisor Gail Steele, D-2	May-10		May-12	0
16	Ms.	Sample	Clara	Union City	City of Union City	Mar-07	Mar-09	Mar-11	0
17	Ms.	Saunders	Harriette	Alameda	BART	Jun-08		Jun-10	0
18	Mr.	Scott	Will	Berkeley	Supervisor Keith Carson, D-5	Mar-10		Mar-12	0

Meeting Date: July 30, 2010

**Alameda County Transportation Improvement Authority's
Paratransit Advisory and Planning Committee
Roster and Attendance
Fiscal Year 2010/2011**

19	Ms.	Stadmire	Sylvia J.	San Leandro	Supervisor Alice Lai-Bitker, D-3	Sep-07	Feb-10	Feb-12	0
20	Ms.	Tracy-Baker	Maryanne	San Leandro	Supervisor Scott Haggerty, D-1	Oct-08		Oct-10	0
21	Mr.	Washington	Ronald	Berkeley	Supervisor Nate Miley, D-4	Mar-03	Mar-08	Mar-10	0
22	Ms.	Wittmeier	Renee	San Lorenzo	Supervisor Alice Lai-Bitker, D-3	May-09		May-11	0
23	Mr.	Zukas	Hale	Berkeley	A. C. Transit	Aug-02	Mar-09	Mar-11	0
24		Vacancy			City of Albany				
25		Vacancy			City of Dublin				
26		Vacancy			City of Newark				
27		Vacancy			City of Piedmont				
28		Vacancy			City of San Leandro				

MEMORANDUM

TO: Alameda County Transportation Commission
FROM: Administration/Legislation/Finance Committee Members
DATE: July 14, 2010
SUBJECT: Legislative Program Update

Recommendation

This is an information item only.

Background

State Update

California entered mid-summer without an approved budget by the June 30, 2010 deadline. While the state grapples with a severe budget shortfall, final compromise efforts have continued with legislative leadership and the Governor, while the rest of the legislature is on-call during the summer recess.

The attached memo from Suter, Wallauch, Corbett & Associates provides summary information on the following items:

- Budget negotiations summary
- Governor's proposed minimum wage for state employees
- SB 375 Draft Regional Targets released June 30
- Senate Realignment Plan
- November propositions

Federal Update

On the federal side, there is a possibility that the Senate Environment and Public Works (EPW) Committee will release a markup of the transportation bill by early fall; however, due to the absence of a funding mechanism for the bill, it may be that a bill will not be ready by the current expiration date of December 31, 2010.

In the absence of a bill, the Department of Housing and Urban Development (HUD), the Environmental Protection Agency (EPA) and the Department of Transportation (DOT) have moved forward with the Partnership for Sustainable Communities, including establishing livability principles, including:

- Providing more transportation choices
- Promoting equitable, affordable housing
- Enhancing economic competitiveness
- Supporting existing communities
- Coordinating policies and leveraging investments
- Valuing communities and neighborhoods.

In June, a joint HUD/EPA/DOT Notice of Funding Availability was released which includes

Sustainable Communities Regional Planning Grants and TIGER II Sustainable Community Challenge Planning Grants. Staff is reviewing these grants and will make a determination for submission of applications for different projects and planning efforts. These will be reported at the Commission meetings.

Fiscal Impact

No direct fiscal impact.

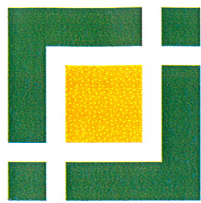
Attachments:

A: - State Update

B: - Federal Update

Attachment A
State Legislative Update from Suter, Wallauch, Corbett & Associates

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July 15, 2010

TO: Christine Monsen, Executive Director
Alameda County Transportation Improvement Authority

Dennis Fay, Executive Director
Alameda County Congestion Management Agency

FR: Suter, Wallauch, Corbett & Associates

RE: Legislative Update

Budget News?: Lawmakers left the Capitol for their districts on July 1st and are required to stay within 24 hours of the Capitol should a budget agreement appear. The Budget Conference Committee met only briefly last week, continuing to plow through open items. The Big Stone Wall issues still remain: a revenue source for restructuring (VLF on the forefront, but is it enough?), instituting corporate tax breaks agreed upon last year, level of education funding, and other intractable issues.

The Committee continues to examine the various proposals, but they have a limited basis on which to make decisions such as realignment - - to say nothing of an agreement on a revenue source. Senate Pro Tem Steinberg and Assembly Speaker Perez said last week that they're negotiating among themselves and Republican leadership trying to make some headway prior to meeting with the Governor. In the end, these decisions will go to the Big Five Leadership, a troupe in search of a new name.

There is an outside possibility we could get there by mid-August, but we'll still be surprised to see an agreement before monetary and election pressure becomes unsustainable sometime in September.

No Joy in Controller's Numbers: Last Friday State Controller John Chiang released his regular monthly report on the State's cash situation, and it unfortunately showed that June's revenues were below May Revision estimates by 0.5 percent or \$54.6 million.

While Personal Income Tax receipts were \$333 million higher than anticipated (6.1 percent), both corporate and sales taxes were below estimates by about \$150 million each or -7.5 and -5.7 percent respectively. The one drop of good news is that expenditures are running behind estimates by \$1.36 billion through the end of June.

The State's \$9.9 billion cash deficit is currently addressed through internal borrowing and while the cash position is stable today, the Controller worries this situation could be short lived. Chiang took the opportunity to chide the Legislature and Governor for their "lack of urgency in adopting an honest budget (that) could pave the way to a completely avoidable cash crisis later this year."

The Controller's financial statement and accompanying analyses can be found on his website at www.sco.ca.gov.

Minimum Wage War: As the Legislature kind-of adjourned for the Summer Recess, the Governor issued an order to reduce state worker pay for July to the federal minimum wage. This order does not apply to those bargaining units that recently reached a tentative agreement with the Governor on wages, pension and healthcare contributions. The Controller refused to make the reduction in checks, citing federal law and an antiquated computer system, among other things. Courts have twice affirmed that Schwarzenegger may order the reduction in wages but Chiang has appealed the rulings. A Sacramento Court is due to decide on Friday upon the Governor's motion for an injunction against Controller Chiang, which could force him to issue the greatly reduced checks for state wages. None of this is bringing a scintilla of political or common sense to the debate, is wasting money and energy on bills that will have to be paid anyway, and adding rancor to the mix on both sides.

SB 375 – Regional Targets: The California Air Resources Board staff held the first of a series of workshops on their proposed targets for greenhouse gas emission reductions within each metropolitan planning region. The 2020 reduction targets proposed for the four largest Metropolitan Planning Organizations, which includes the Bay Area, Sacramento region, San Diego, and Southern California, is a 5-10% per capita reduction relative to 2005. Lacking complete information for the longer term 2035 targets, CARB has proposed placeholder targets. For the MTC region the 2035 placeholder target is a very wide range of 3-12% reduction.

At yesterday's workshop, the public comments from several groups expressed concerns that the targets are too low and the bar should be raised in order to enact meaningful planning changes within the regions. This position was countered by building industry representatives who cautioned we should not put too high of an expectation on SB 375. Building representatives explained that the SB 375 will improve coordination of land use and transportation planning, but economic factors will likely prevent significant changes in land use patterns.

Several workshops have been set to review the recommended targets. The Bay Area Workshop is scheduled for July 21 at 10:30 at the Caltrans Auditorium in Oakland. Additional information can be found at CARB's SB 375 website at <http://www.arb.ca.gov/cc/sb375/sb375.htm>

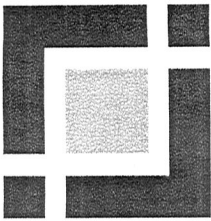
Realignment/Restructuring Discussions: A central pieces of the Senate's budget plan is the proposal to restructure services by realigning responsibility for several programs from the state to counties.

The Senate's plan would transfer public safety programs for which the state is currently responsible to counties; increase the county share of various elements of the CalWORKs program; realign Adult Protective Services and Aging programs to counties; and give counties additional revenues to pay for the restructured services. The plan also shifts responsibility for juvenile parole services, low-level offenders, Drug-Medi-Cal, offender treatment programs and drug court program to counties, while restoring Substance Abuse and Crime prevention Act funding to counties and maintaining existing funding for COPS/Juvenile Justice program.

The California State Association of Counties (CSAC) has formed several working groups to examine the Senate's plan and to develop principles on how realignment could work. Last week the Financing and Revenues, Health and Human Services, and Administration of Justice groups each met separately for in-depth conversations regarding the county impacts of the proposal.

There were some common themes that occurred across the three group discussions, including concern for county flexibility, adequacy of proposed funding streams, avoiding the downsides of the existing Realignment, most notably the current funding shortfall. These issues and the suggestions, assessments, concerns, etc. of the subcommittees will be presented to the full Working Group for its consideration.

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Suter ▪ Wallauch ▪ Corbett & Associates

Government Relations

LEGISLATION July 15, 2010

July 2nd was the deadline for policy committees to move bills to the Floor or fiscal committee. Any bill that remains in a policy committee is technically dead, but as with any action in the Capitol nothing is truly dead until session is over.

Bills	Subject	Status	Client - Position
<u>AB 153</u> (Ma) Land use and planning: environmental quality	<p>AB 153 was recently amended to contain a proposal similar in purpose to SB 1445 (DeSaulnier), but the vehicle fee would be imposed at the regional level and subject to a public vote. The structure of this bill and how the fee revenue is allocated is based on SB 406 from last year, which was vetoed because it did not include a public vote.</p> <p>AB 153 would authorize regional entities by a vote of the people to impose a mitigation fee of up to \$4 on vehicle registrations to pay for regional land use planning activities. This bill also makes changes to the membership and duties of the Office of Planning and Research's Planning Advisory and Assistance Council.</p>	SENATE RLS.	ACTIA- Watch ACCMA- Watch
<u>AB 1760</u> (Blumenfield)(D) Design-sequencing contracts.	This bill is moving through the Senate with no opposition. AB 1760 would reenact until January 1, 2016 the authorization for Caltrans to enter into design-sequencing contracts. AB 1760 would allow Caltrans to enter an unlimited number of design sequencing contracts. The bill would require a report to the Legislature describing and evaluating the outcome of the contracts undertaken pursuant to these provisions.	SENATE APPR.	ACTIA- Watch ACCMA- Watch
<u>AB 1955</u> (De La Torre)	AB 1955 failed passage in Senate Local Government Committee on a vote of 1-2, and 2 two members not voting. This bill is	SENATE L. GOV.	ACTIA-OPPOSE ACCMA-OPPOSE

<p>Public officers: incompatible offices.</p>	<p>dead.</p> <p>Senator Aanestad was the only Aye vote, and his reasoning was he supports any bill that would make it more difficult to use eminent domain or increase a tax.</p> <p>This bill would add examples to existing law of when offices are considered incompatible. The examples would make incompatible offices where both offices have the power of eminent domain in an area where the jurisdictions overlap, where both offices have the power to set a fee or impose a tax that may directly or indirectly affect the other office.</p> <p>This bill is being sponsored by the LA County District Attorney. The DA is currently involved in a case to remove an individual that was elected to the Maywood City Council and later elected to the Water Replenishment District of Southern California. The DA wants the statute to be more specific in spelling out the circumstances where public offices are incompatible. However, the proposed changes would create confusion on whether a locally elected official serving on a board of commission is an incompatible office.</p>		
<p>AB 2147 (V. Manuel Perez) (D) Safe Routes to School Construction Program.</p>	<p>Under existing law Caltrans awards Safe Routes to School grants to local governments based on six specified factors. These factors range from demonstration of need and the potential to increasing bicycling or walking to school to demonstrated support for the project from schools and elected officials.</p> <p>AB 2147 would add to the list of factors consideration of the public participation process used to select the project and if the project benefits a disadvantaged community</p> <p>AB 2147 was amended at the Senate Transportation & Housing Committee to replace the definition of a “disadvantage</p>	<p>SENATE APPR.</p>	<p>ACTIA-Support If Amended ACCMA-Support If Amended</p>

	<p>community” with a definition of a low-income school. The bill defines a Low-income school as a school in which 75% or more of the students qualify for the federal free or reduced lunch program.</p> <p><i>The ACCMA and ACTIA should discuss whether the project benefits a low-income school as defined is sufficient to change the positions from Support If Amended to Support.</i></p>		
<p>AB 2703 (John A. Perez)(D) Federal transportation economic stimulus funds: 2nd round.</p>	<p>If there is a second round of federal stimulus funds, AB 2703 would authorize Caltrans to loan an unspecified amount of the second round of federal economic stimulus funds to advance projects funded with Prop 1B bonds.</p> <p>This bill is similar to provisions contained in ABX3 20, which implemented the distribution of the first round of ARRA transportation funds. ABX3 20 allowed Caltrans to use \$310 million in ARRA for loans to get Prop 1B projects moving.</p>	<p>SENATE CONSENT CALENDAR</p>	<p>ACTIA-Watch ACCMA-Watch</p>
<p>SB 82 (Hancock)(D) Community colleges: parking and transportation fees</p>	<p>SB 82 is a two-year bill that was amended to update and revise the amounts community colleges may charge for parking and transportation services. This bill is sponsored by the Peralta Community College District.</p> <p>The bill raises the cap from \$60 per semester to \$70 per semester that can be imposed for transportation services. The bill also increases the parking fee from \$40 per semester to \$50 per semester and the parking fee for students who carpool is increased from \$25 to \$35 per semester. The bill also includes language stating the total fees shall not exceed the amount necessary to reimburse the district in providing the transportation services. The bill would also allow the governing board of the district to annually increase the fee to cover inflation.</p>	<p>ASSEMBLY THIRD READING</p>	<p>ACTIA-Watch ACCMA-Watch</p>

<p><u>SB 1061</u> (Hancock) (D) San Francisco-Oakland Bay Bridge: capital projects.</p>	<p>SB 1061 authorizes the Bay Area Toll Authority to spend future bridge toll revenue on the construction of a bicycle-pedestrian-maintenance pathway on the western portion of the Bay Bridge. It would also authorize MTC to be the project sponsor.</p> <p>SB 1061 was amended to require the project to be included in the regional transportation plan. Language was also added to specify that the path may include capacity for maintenance vehicles if the path does not interfere with the height requirements for the shipping lane. In addition, language was added that prohibits BATA from increasing tolls specifically to fund this project.</p>	<p>ASSEMBLY APPR.</p>	<p>ACTIA-Watch ACCMA-Watch</p>
<p><u>SB 1215</u> (Price)(D) architectural and engineering services: prequalification lists.</p>	<p>SB 1215 would create a pilot project that would authorize Caltrans to establish prequalified lists of small, medium and large architectural and engineering firms. The pilot project would sunset on January 1, 2014.</p> <p>This bill seeks to enable small businesses to compete for Caltrans engineering contracts by allowing Caltrans the ability to establish prequalification lists of architectural and engineering firms for small, medium, and large contracts. These prequalification lists would be created for each Caltrans district.</p>	<p>ASSEMBLY APPR..</p>	<p>ACTIA-Support ACCMA-Watch</p>
<p><u>SB 1268</u> (Simitian) (D) electronic toll collection mechanisms: disclosure of personal information.</p>	<p>SB 1268 would enact privacy protections for the use of electronic toll collection devices. SB 1268 would prohibit a transportation agency from selling or providing personally identifiable information of a subscriber. The bill would allow a transportation agency to store certain personally identifiable information of a subscriber and would require it to discard other information within a designated time period.</p> <p>SB 1268 was amended in Assembly Transportation to remove all opposition. The amendments specify that the data must be purged not sooner than four years, and not later than four years</p>	<p>ASSEMBLY APPR.</p>	<p>ACTIA-Watch ACCMA-Watch</p>

	and six months, after the closing of an account. In addition, the author also agreed to clarify that the provision requiring subscribers to "opt in" by giving written consent to receive written communications from the agency is prospective only.		
SB 1318 (Committee on Transportation and Housing) Transportation	SB 1318 was unanimously approved as a consent items in the Assembly Appropriations Committee last week. SB 1318 is the Senate Transportation & Housing Committee's Omnibus bill, which contains various non-controversial changes. This bill was amended on June 3, to change various references to the ACCMA or ACTA/ACTIA to the Alameda County Transportation Commission (ACTC).	ASSEMBLY SECOND READING	ACTIA-Support ACCMA-Support
SB 1348 (Steinberg) (D) California Transportation Commission:	SB 1348 would enact a procedure for the California Transportation Commission (CTC) to follow when developing program guidelines. The purpose is to establish a structured and public process for the CTC to follow when developing and adopting guidelines. The current version of the bill essentially codifies the CTC's existing practice on developing and adopting guidelines. While the CTC staff has been working with the author on technical amendments, CTC has not taken a position on this bill.	ASSEMBLY CONSENT CALENDAR	ACTIA-Support ACCMA-Support
SB 1371 (Lowenthal) (D) Federal transportation economic stimulus funds: 2nd round.	SB 1371 is drafted in anticipation of a second round of stimulus funds. This bill directs Caltrans to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of a 2nd round federal transportation stimulus funds.	ASSEMBLY CONSENT CALENDAR.	ACTIA-Watch ACCMA-Watch
SB 1445 (DeSaulnier)(D) Planning	This bill increases statewide the fee to register a vehicle by \$1. The revenue would be allocated to regional agencies to pay for land use planning activities related to implementing SB 375. This bill also makes changes to the membership and duties of the	ASSEMBLY APPR	ACTIA-Support ACCMA-Support

	<p>Office of Planning and Research's Planning Advisory and Assistance Council.</p> <p>SB 1445 is similar to SB 406 which was vetoed by the Governor. SB 406 proposed to impose the \$1 fee on a regional basis. In the Bay Area, MTC would have imposed the fee under SB 406. Under SB 1445 MTC would receive the region's proportionate share of the statewide fee. In addition, to using this revenue to implement sustainable communities strategies, or regional blueprint plans, MTC may use these funds to provide grants to cities, counties, and congestion management agencies for planning and projects.</p>		
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Attachment B
Federal Legislative Update from Simon & Company

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Washington Friday Report

Volume XII, Issue 27

July 9, 2010

INSIDE THIS WEEK

- 1 PACE Program, Education Jobs
- 2 Air Rule, Rental Assistance, HealthCare.gov
- 2 Sustainable Feds, Remembering Senator Byrd

Five straight days of about 100 degree heat tends to keep you indoors here in Washington, trying to figure out the next steps forward for the Administration and Congress as they refocus after the July 4th recess. The budget, financial reform, and jobs will continue to dominate in the week ahead. But for now, here's some useful information for you on events of the past few days.

Property Assessed Clean Energy

The Obama Administration has allocated \$150 million in Recovery funds to support the Property Assessed Clean Energy (PACE) programs. Through the PACE program, loans can be used to install solar panels and make energy improvements that can be repaid through a 20-year special assessments on property tax bills and secured through a lien. Thus far 22 states have authorized PACE Programs. However, the two government-chartered mortgage firms, Fannie Mae and Freddie Mac announced on May 5, 2010 that these liens could not take priority over a mortgage, but offered no alternative advice on how lenders could still execute the program.

On July 6th the Federal Housing Finance Agency and the Office of the Comptroller of the Currency, announced their plan to block the trial period for the PACE programs by both treating PACE financing's as mortgage defaults and by placing additional borrower requirements that would be prohibitively costly. Assistant Secretary at the Department of Energy, Cathy Zoi, communicated to the president of Renewable Funding, Cisco DeVries, that "the agencies had decided not to accept the liens and the administration needed to begin contingency planning on what to do with stimulus funding allocated for PACE." Mr. DeVries replied that: "The response among the cities is something close to outrage. There may need to be a legislative solution, maybe litigation."

There has also been a strong response coming from Capitol Hill. **Rep. Henry A. Waxman (CA)**, Chairman of the Committee on Energy & Commerce, and **Rep. Barney Frank (MA)**, Chairman of the Committee on Financial Services, sent a letter to Secretary of the Treasury, Secretary of Energy, and

Acting Director of FHFA urging that their agency's "quickly identify, agree on, and publish guidelines that would allow PACE financing programs to continue while ensuring that both taxpayer and private mortgage investments are protected." Many other Representatives and Senators have sent letters to administration officials urging cooperation in establishing such guidelines. Senator Boxer, Chair of the Environment and Public Works Committee, wrote: "FHFA's stance is undermining efforts in California to advance clean energy projects and reduce greenhouse gas emissions." *We have attached materials for your review.*

Supplemental Appropriations Act 2010

Before the recess began last week House Financial Services Committee **Chairman David Obey (WI)** proposed and the House adopted an amendment to H.R. 4899 – Supplemental Appropriations Act – which added additional, fully offset, investments to meet domestic needs, such as education, jobs and border security. The \$10 billion Education Jobs Fund will provide additional emergency support to local school districts to prevent impending layoffs. This will help keep approximately 140,000 school employees employed over the next year.

Chairman Obey asserts that this would save the Federal Government \$493 million over ten years compared to the President's request. The Administration is threatening to veto the bill if the final version includes \$800 million in cuts from the Administration's "Race to the Top" education reform competition. In a statement last week, the White House said that, "the Administration is more than willing to work with the Congress to pursue fiscally responsible ways to finance education jobs; however, these rescissions undercut programs that have already received applications from more than three dozen States."

A number of Senators have also voiced their concerns about this amendment. In a letter to Senate Appropriations Committee **Chairman Daniel Inouye (HI)** the Senators said, "...taking money from these programs in the midst of the competitive process, we would not only derail bold education reform efforts, we'd also be breaking faith with the states, districts, and schools that relied on the existence of this funding as an incentive to undertake reform." Many education reform groups such as the National Alliance for Public Charter are opposed to the House proposal. *We have provided for your review the Chairman's statement and summary, as well as statements from Senators, White House and various organizations.*

Washington Friday Report 1

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taxpayer-funded bailouts of financial firms through liquidation authority. The legislation also strives to impose fiduciary duties, risk retention for lenders, interchange fees paid by merchants and retailers to banks and credit unions that issue debit cards and other various fees. *A summary attached. The House passed the compromise Wednesday night (after the bank tax was eliminated to get the support of Senator Brown of Massachusetts). The Senate will take it up after the recess.*

Public Transportation Safety Act

On Tuesday Senate Banking Committee Chairman **Chris Dodd** held a mark up during which the Public Transportation Safety Act of 2010 was unanimously approved. The bipartisan bill, which will improve transit safety oversight and establish national safety standards, was authored by Chairman Dodd, Ranking Member **Richard Shelby**, and Housing, Transportation, and Community Development Subcommittee **Chairman Robert Menendez**. The Public Transportation Safety Act will strive to: improve safety by establishing a National Public Transportation Safety Plan; require public transportation agencies to establish comprehensive safety plans; improve the effectiveness of state safety oversight agencies and increase Federal funding; provide new enforcement authority over public transportation safety to the Secretary of Transportation; establish a system to monitor and manage transit infrastructure to improve overall safety and; authorize appropriations of \$66 million over three years for public transportation safety. Currently the FTA does not have the authority to impose standards for public transit systems, which are overseen by a patchwork of 27 state agencies. *A summary of the bill is attached.*

Internet Travel Tax Fairness Act

Nearly a dozen associations—including the U.S. Conference of Mayors and National League of Cities—wrote a letter to the Senate opposing the “Internet Tax Fairness Act” (ITTFA) that would restrict authority of state and local governments to fully collect hotel occupancy taxes from online travel companies (OTC’s such as Expedia, Orbitz, Travelocity) when hotel rooms are booked through OTCs. The OTCs pass on occupancy taxes owed to local taxing jurisdictions based on the wholesale rate negotiated with the hotel, not the retail rate paid by the guest—thus undercutting the full amount local authorities are owed. In response to the growing number of lawsuits, OTCs initiated a lobbying campaign in Congress to pass ITTFA, which would create a special tax preference for OTCs by preempting state and local taxing authorities’ ability to fully levy occupancy taxes on OTC transactions. The associations argued that ITTFA “*merely shifts the OTCs’ tax burden onto others to the detriment of our communities and public sector jobs. No industry should be allowed to manipulate the tax code to secure a competitive advantage over hoteliers while simultaneously shortchanging cities*” and urged that ITTFA provisions not be added to small business legislation on the Senate floor. *Materials attached.*

Comprehensive Immigration Reform

The President delivered remarks yesterday on the need to fix the nation’s broken immigration system through comprehensive immigration reform at the American University School of International Service. President Obama called on Congress to

“*get past the false debate that have divided the country*” and pass comprehensive immigration reform. The President noted that a new immigration law in Arizona is “ultimately unenforceable” and has the potential of violating the rights of innocent American citizens and legal residents. With an estimated 11 million undocumented immigrants in the U.S., he argued that border control must be tightened and businesses must be held accountable if they break the law deliberately by hiring and exploiting undocumented workers. “*So, despite the forces of the status quo, despite the polarization and the frequent pettiness of our politics, we are confronting the great challenges of our times. And while this work isn’t easy, and the changes we seek won’t always happen overnight, what we’ve made clear is that this administration will not just kick the can down the road,*” said the President. Background on the President’s speech attached.

Plan to End Homelessness

This week, along with USCM and city rep colleagues, we met with **Anthony Love**, Deputy Director of the United States Interagency Council on Homelessness (USICH). He spoke about “Opening Doors: the Federal Strategic Plan to Prevent and End Homelessness” which we provided to you last week. Love stated that one of the main objectives of the plan was to partner with state and local governments, as well as the nonprofit, private, and other philanthropic sectors. He acknowledged local support as a key step to solving the problem of homelessness because local governments are going to have the greatest understanding of what approaches best work in their areas. “*The same strategy is not going to work in all places,*” Love stated, “*different cities call for different solutions.*” USICH worked with hundreds of mayors and local staff people to generate a plan that can be adapted to suit varying local needs. *PowerPoint attached.*

Secretary LaHood

This week the *Washington Post* wrote about DOT Secretary **Ray LaHood**, a rare Republican in the Obama Administration. Before becoming Secretary he served for 14 years in the House from a Peoria-based district. Secretary LaHood’s profile, including appearing on Oprah, has been higher than many cabinet members –Toyota and his initiative on distracted driving campaigns among the reasons. The article noted LaHood’s constant determination to “*work quietly to bridge the partisan chasm that paralyzed the political process*” and emphasizes what a regular guy he is with “*his heart in Peoria*” The article is attached.

Thanks, Abigail

We wanted to thank **Abigail Evans** for her outstanding work on our staff over the last eight months. Abigail assisted us with great diligence and professionalism and we wish her all the best as she embarks on new professional opportunities!



*Have Safe and happy Independence Day!
Please contact Len Simon, Claire Colegrove
or Rukia Dahir with any questions.*