



# Meeting Notice

1333 Broadway, Suites 220 & 300, Oakland, CA 94612 • PH: (510) 208-7400 • [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

#### **Commission Chair**

Supervisor Scott Haggerty, District 1

#### **Commission Vice Chair**

Councilmember Rebecca Kaplan,  
City of Oakland

#### **AC Transit**

Director Elsa Ortiz

#### **Alameda County**

Supervisor Richard Valle, District 2

Supervisor Wilma Chan, District 3

Supervisor Nate Miley, District 4

Supervisor Keith Carson, District 5

#### **BART**

Director Thomas Blalock

#### **City of Alameda**

Vice Mayor Marilyn Ezzy Ashcraft

#### **City of Albany**

Mayor Peggy Thomsen

#### **City of Berkeley**

Councilmember Laurie Capitelli

#### **City of Dublin**

Mayor Tim Sbranti

#### **City of Emeryville**

Councilmember Ruth Atkin

#### **City of Fremont**

Councilmember Suzanne Chan

#### **City of Hayward**

Councilmember Marvin Peixoto

#### **City of Livermore**

Mayor John Marchand

#### **City of Newark**

Councilmember Luis Freitas

#### **City of Oakland**

Vice Mayor Larry Reid

#### **City of Piedmont**

Mayor John Chiang

#### **City of Pleasanton**

Mayor Jerry Thorne

#### **City of San Leandro**

Vice Mayor Michael Gregory

#### **City of Union City**

Mayor Carol Dutra-Vernaci

#### **Executive Director**

Arthur L. Dao

## Alameda CTC Commission

**Tuesday, July 25, 2013, 2 p.m.**

**1333 Broadway, Suite 300**

**Oakland, CA 94612**

### **Mission Statement**

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

### **Public Comments**

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

### **Reminder**

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

### **Glossary of Terms**

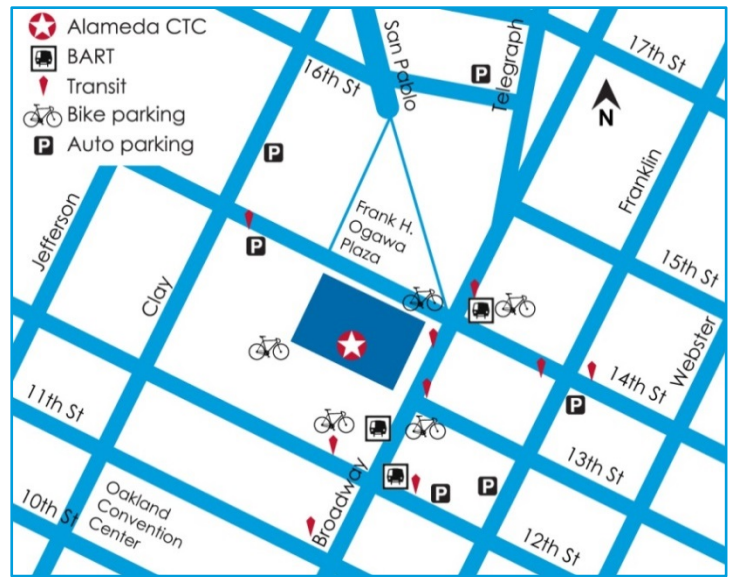
A glossary of terms that includes frequently used industry terms and acronyms is available on the Alameda CTC website at

[www.AlamedaCTC.org/app\\_pages/view/8081](http://www.AlamedaCTC.org/app_pages/view/8081).

## Location Map

★ Alameda CTC  
1333 Broadway, Suite 300  
Oakland, CA 94612

Alameda CTC is accessible by multiple transportation modes. The office is a few steps away from the City Center/12th Street BART station. There are bus stops for major AC Transit lines in front of the building and across the street. Bicycle parking is available inside the building and in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from bikelink.org).



Garage parking is available for autos and bicycles in the City Center Garage (enter on 14th Street between Broadway and Clay). Visit the Alameda CTC website to access tools to plan your trip:

<http://www.alamedactc.org/directions.html>.

## Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-893-3347 (Voice) or 510-834-6754 (TTD) five days in advance to request a sign-language interpreter.



## Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at [www.AlamedaCTC.org/events/upcoming/now](http://www.AlamedaCTC.org/events/upcoming/now).

## Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at [www.AlamedaCTC.org/events/month/now](http://www.AlamedaCTC.org/events/month/now).

## Connect with Alameda CTC

[www.AlamedaCTC.org](http://www.AlamedaCTC.org)



[facebook.com/AlamedaCTC](https://facebook.com/AlamedaCTC)

[@AlamedaCTC](https://twitter.com/AlamedaCTC)

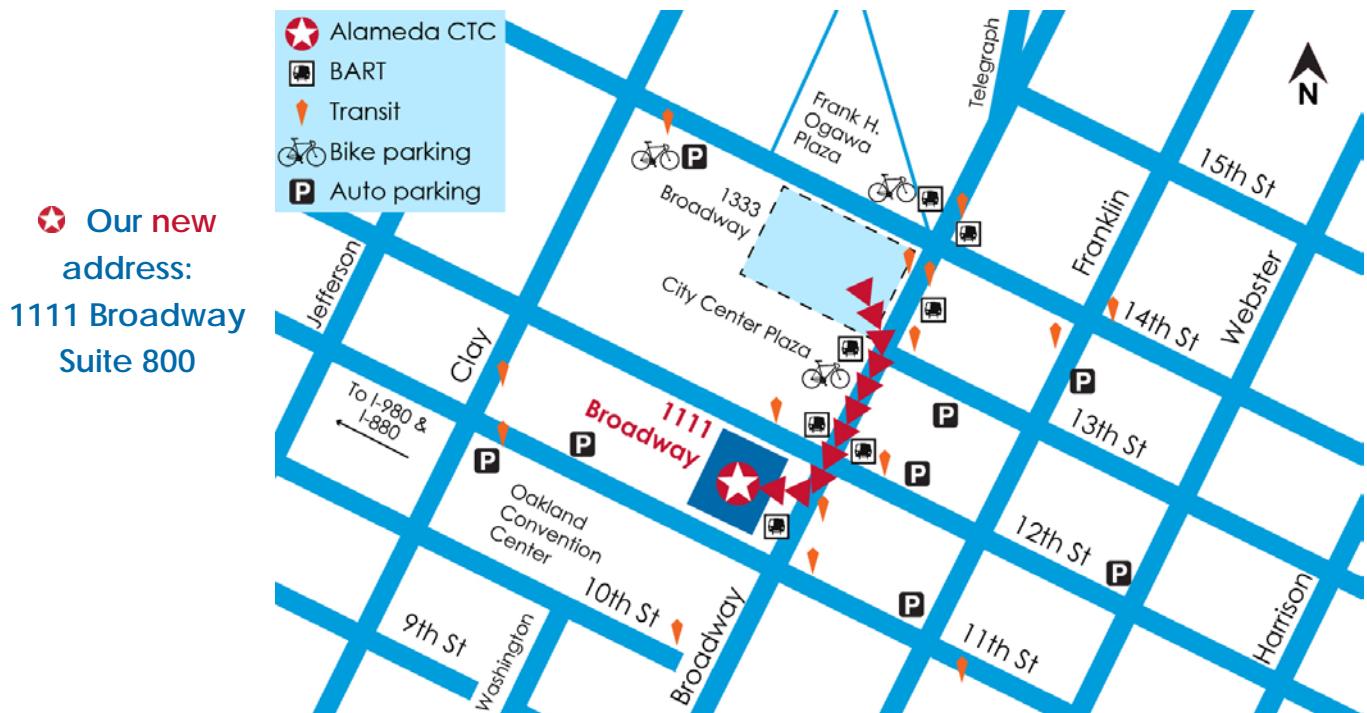
[youtube.com/user/AlamedaCTC](https://youtube.com/user/AlamedaCTC)

# New Office Location



## We're Moving One Block South

On August 30, 2013, we are moving our offices one block south to 1111 Broadway, Suite 800, Oakland, CA, 94607. We will still be conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines.



Our phone and fax numbers will remain the same:

Phone: 510-208-7400

Fax: 510-893-6489

Garage parking is located beneath City Center, accessed via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit [www.511.org](http://www.511.org).

Bicycle parking is available in the bike cages in the 12th Street City Center BART Station and in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from [www.bikelink.org](http://www.bikelink.org)).

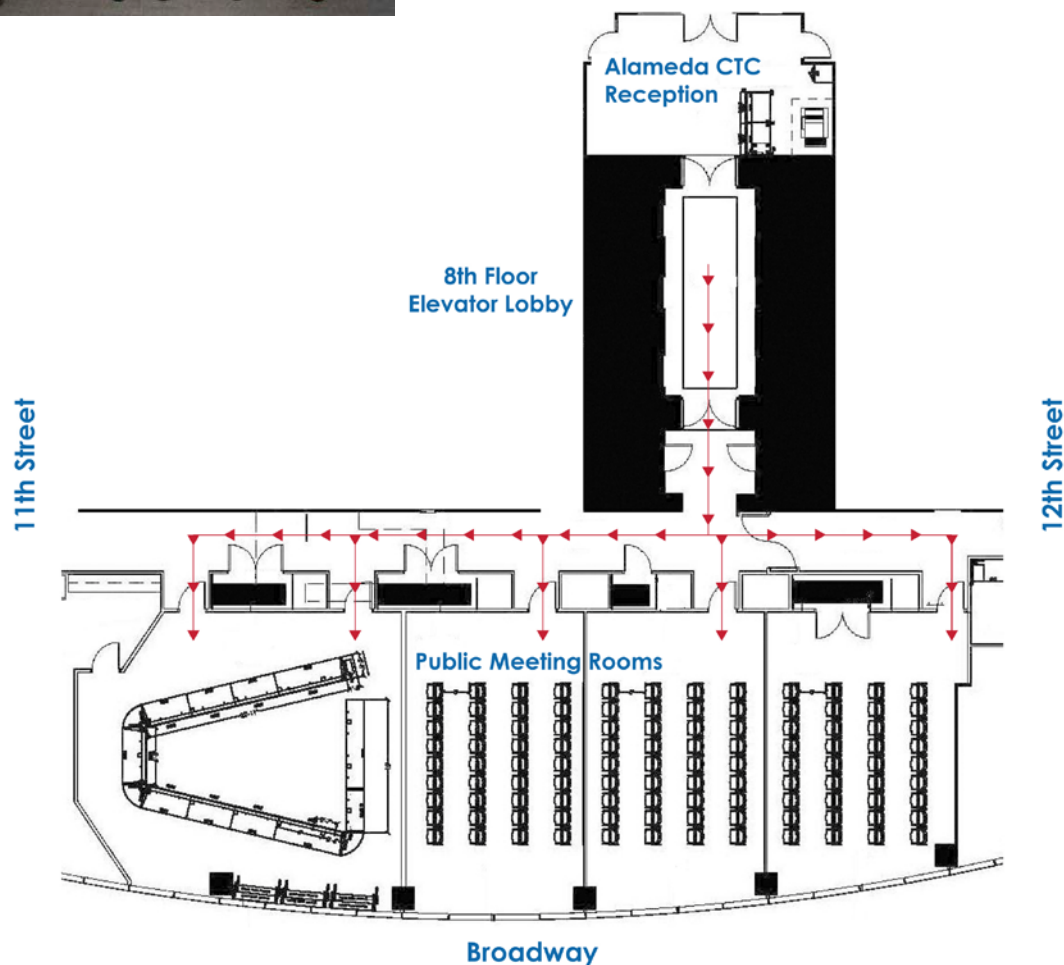


## Alameda CTC is on the move!

Join us at our new location — just one block south of our old office:

**1111 Broadway, Suite 800**  
**Oakland, CA 94607**  
**Phone: 510-208-7400**  
**Fax: 510-893-6489**

Our public meetings are easily accessible on the 8th Floor. We will hold all of our public meetings in our new office beginning September 3, 2013.



If you have any questions about the new office or need more information, contact Laurel Poeton at [lpoeon@alamedactc.org](mailto:lpoeon@alamedactc.org) or 510.208.7415.

**New Address:** 1111 Broadway, Suite 800 • Oakland, CA 94607 • 510.208.7400  
**Website:** [www.AlamedaCTC.org](http://www.AlamedaCTC.org) • **Facebook:** [www.facebook.com/AlamedaCTC](http://www.facebook.com/AlamedaCTC) • **Twitter:** [@AlamedaCTC](https://twitter.com/AlamedaCTC)



# Commission Meeting Agenda

## Thursday, July 25, 2013, 2 p.m.

1333 Broadway, Suites 220 & 300, Oakland, CA 94612 • PH: (510) 208-7400 • [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

1. Pledge of Allegiance

2. Roll Call

3. Public Comment

4. Chair/Vice Chair Report

5. Executive Director Report

**Chair:** Supervisor Scott Haggerty,  
Alameda County, District 1

**Vice Chair:** Councilmember Rebecca Kaplan,  
City of Oakland

**Executive Director:** Arthur L. Dao

**Clerk:** Vanessa Lee

6. Approval of Consent Calendar

Page A/I\*

On July 08, 2013, Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1.

6.1. [Approval of June 27, 2013 Minutes](#)

1 A

Recommendation: Approve the June 27, 2013 meeting minutes.

6.2. [I-580 Corridor High Occupancy Vehicle Lane Projects \(PN 724.4/724.5\): Monthly Progress Report](#)

5 A

Recommendation: Approve the monthly progress report.

6.3. [I-580 Express \(HOT\) Lane Projects \(PN 720.4/724.1\): Monthly Progress Report](#)

15 A

Recommendation: Approve the monthly progress report.

6.4. [Request for Qualifications \(RFQ\) for On-Call Consultants for Countywide Travel Demand Model Maintenance and Modeling Work](#)

33 A

Recommendation: Approve issuing a RFQ for selection of qualified consultants to provide on-call modeling services related to performing model maintenance and address modeling needs for the Countywide Travel Demand Model, and entering into an agreement with the selected consultants.

6.5. [Transportation Fund for Clean Air \(TFCA\) Final FY13-14 Program](#)

37 A

Recommendation: 1) Approve the FY 2013/14 TFCA program, including final approval for \$1,428,821 for 12 projects. The recommended program includes unprogrammed capacity of \$90,000 that will require an additional programming action in September. 2) Provide Input on staff suggestions for streamlining the TFCA Program.



6.6.	<a href="#"><u>I-580 Express (HOT) Lane Project (APN 720.4 and 724.1): Amend the Professional Services Contract with Electronic Transaction Consultants Corporation for Systems Integrator Services</u></a>	45	A
	Recommendation: Authorize Executive Director to take all necessary contractual actions to retain Electronic Transaction Consultants Corporation as the Systems Integrator Consultant for the project.		
6.7.	<a href="#"><u>Advisory Committee Appointments</u></a>	49	A
	Recommendation: Approve the appointment of Margaret Walker to the Paratransit Advisory and Planning Committee.		
6.8.	<a href="#"><u>California Transportation Commission June 2013 Meeting Summary</u></a>	53	A
	Recommendation: Approve the June 2013 meeting summary.		
7.	<b>Community Advisory Committee Reports</b> (Time limit: 3 minutes per speaker)		
7.1.	<a href="#"><u>Bicycle and Pedestrian Advisory Committee</u></a> – Midori Tabata, Chair	57	I
7.2.	<a href="#"><u>Citizens Watchdog Committee</u></a> – James Paxson, Chair	59	I
7.3.	<a href="#"><u>Paratransit Advisory and Planning Committee</u></a> – Sylvia Stadmire, Chair	67	I
8.	<b>Planning, Policy and Legislation Committee Action Items</b> On July 08, 2013, the Planning, Policy and Legislation Committee approved the following action items, unless otherwise noted in the recommendations.		
8.1.	<a href="#"><u>Legislative Update</u></a>	77	I/A
8.2.	<b>Presentation of Goods Movement Collaborative and Plan Development Update</b>		I
9.	<b>Finance and Administration Action Items</b> On July 08, 2013, the Programs and Projects Committee approved the following action items, unless otherwise noted in the recommendations.		
9.1.	<a href="#"><u>Authorization to Proceed to Initiate a FY2013-14 Debt Issuance</u></a>	87	A
	Recommendation: Approve debt issuance process and activities and authorize the Executive Director to: 1) Initiate the process of issuing debt financing in FY2013-14 to finance the ACTIA capital program cash flow demand; and 2) Issue Requests For Proposals (RFP) or Requests for Quotes (RFQ), enter into negotiations with top ranked firms, and execute contracts for bond and disclosure counsel, investment banking services (underwriters) and various other small service contracts necessary to complete the bond issuance process such as the bond trustee and printers for the official statement.		

9.2. [Approval of the Alameda CTC Debt Policy](#)

93

A

Recommendation: Approve the Alameda CTC debt policy effective Fiscal Year 2013-14.

**10. Closed Session**

Pursuant to California Government Code section 54956.9(b) Conference with General Counsel regarding anticipated potential litigation.

**10.1. Report on Closed Session**

**11. Programs and Projects Committee Action Items**

On July 08, 2013, the Programs and Projects Committee approved the following action items, unless otherwise noted in the recommendations.

11.1. [Route 84 Expressway Widening Project – South Segment \(PN 624.2\): Resolution #13-008](#)

105

A

Recommendation: Adopt Resolution #13-008 agreeing to hear resolutions of necessity should an eminent domain action be required to acquire property for construction of the Route 84 Expressway Widening – South Segment Project. This requires a four-fifths affirmative vote by the Commission (18 affirmative, non-weighted votes needed).

**12. Other Business**

**13. Member Reports (Verbal)**

**14. Adjournment**

**Next meeting:** September 26, 2013

All items on the agenda are subject to action and/or change by the Commission.

***This page intentionally left blank***





Alameda County Transportation Commission  
Commission Meeting  
Meeting Minutes  
Thursday, June 27, 2013, 2:00 p.m.

6.1

1333 Broadway, Suites 220 & 300, Oakland, CA 94612 • PH: (510) 208-7400 • [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

**1. Pledge of Allegiance**

**2. Roll Call**

A roll call was conducted and a quorum was confirmed.

**3. Public Comment**

There were no public comments.

**4. Chair/Vice Chair Report**

There was no chair or vice chair report.

**5. Executive Directors Report**

Art Dao updated the Commission on the bike to work challenge, and stated that the Annual Mobility Workshop hosted by PAPCO will be held at the Ed Roberts campus in Hayward<sup>1</sup>

**6. Consent Calendar**

**6A. Approval of Minutes of May 23, 2013**

**6B. I-580 Corridor High Occupancy Vehicle (HOV) Lane Projects Monthly Progress Report**

**6C. I-580 Express (HOT) Lane Projects Monthly Progress Report**

**6D. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments**

**6E. Approval of the Southbound I-680 Express Lane Evaluation "After" Study Report**

**6F. California Transportation Commission (CTC) May 2013 Meeting Summary**

**6G. Approval of Final FY 2012/13 Coordinated Funding Program**

**6H. Approval of Transportation Fund for Clean Air (TFCA) Draft FY 2013/14 Program and At Risk Report**

**6I. Approval of Altamont Commuter Express (ACE) Baseline Service Plan for FY 2013/14**

**6J. Approval of State Transportation Improvement Program (STIP) At Risk Report**

**6K. Approval of Federal Surface Transportation/Congestion Mitigation and Air Quality (STP/CMAQ) Program At Risk Report**

**6L. Approval of Fiscal Year 2013/2014 Measure B Paratransit Program Plans**

**6M. I-880 North Safety and Operational Improvements at 23rd and 29th Avenues (ACTC No. 717.0) – Authorization to Advertise and Award a Construction Contract for EBMUD Facilities Relocation**

**6N. East 14th Street/Hesperian Boulevard/150th Avenue Intersection Improvements (ACTIA 19) - Allocation of 2000 Measure B Capital Funding and Amendments to the Project Specific Funding Agreements with the City of San Leandro**

**6O. East Bay Greenway Project – Segment 7A (ACTC No. 635.1) – Authorization to Award and Execute a Contract for Construction of the Project**

**6P. BART Warm Springs Extension Project (ACTC 602.0) - Approval of Exchange of State Local Partnership Program Funding and Amendments to Measure B Project Specific Funding Agreements**

**6Q. Various Projects - Approval of Amendments to the Architectural and Engineering (A&E) Professional Services Agreements for Time Extensions**

**6R. Approval of the Fiscal Year 2013-2014 Consolidated Budget for the Alameda County Transportation Commission**

**6S. Approval of the Creation of an Alameda CTC 457 Deferred Compensation Plan with ICMA-Retirement Corporation with the Permission for Loans**

**6T. Approval of a Four Month Extension to the Bicycle and Pedestrian Coordination Services Contract**

**6U. Approval of Revised Alameda CTC's Staffing Positions and Salary Ranges for Fiscal Year 2013-14**

**6V. Approval of Advisory Committee Appointments**

*Commissioner Kaplan motioned to approve the Consent calendar. Commissioner Blalock seconded the motion. The motion passed unanimously.*

**7. Community Advisory Committee Reports**

7A. Midori Tabata, Chair of BPAC, stated that the committee met on June 6, 2013. The committee reviewed the Coordinated Funding Program Call for Projects and received a presentation from Alameda CTC staff on the Capital Improvement Plan and Programs Investment Plan. The next BPAC meeting is scheduled for July 8, 2013.

7B. Harriet Sanders, Vice-Chair of CWC, reported that the committee met on June 24, 2013. The committee held election of officers and approved the draft citizen watchdog annual report. Ms. Sanders also stated that the committee established an audit sub committee that met on June 21, 2013 with the Alameda CTC auditing firm.

7C. Sylvia Stadmire, Chair of PAPCO, stated that the committee met on June 24, 2013 and held elections of officer. Ms. Stadmire reviewed outreach the committee had done at the Alameda County Fair and reviewed committee vacancies. She also stated that the Annual Mobility Workshop would be held on July 1, 2013 at the Ed Roberts Campus.

## **8. Planning Policy and Legislation Committee Action Items**

### **8A. Approval of Legislative Positions and Update**

Tess Lengyel reviewed federal and state legislative initiatives. On the federal side, Ms. Lengyel updated the Commission on appropriation bills in house and senate and the new secretary of transportation. On the state side, Ms. Lengyel stated that the governor signed the budget, and highlighted transportation budgeting and possible funding opportunities through AB 32. Ms. Lengyel recommended the Commission take a support position on AB 466 and provided an update on AB 210.

*Commissioner Worthington motioned to approve this Item. Commissioner Kaplan seconded the motion. The motion passed unanimously.*

### **8B. Approval of Transportation Expenditure Plan Ad Hoc Committee Formation and Implementation Schedule**

Tess Lengyel recommended that the Commission approve the formation of the Transportation Expenditure Plan Ad Hoc Committee and Implementation Schedule. Ms. Lengyel stated that the committee will discuss reauthorization of the current transportation sales tax program, sales tax measure ballot development and framework for a transportation expenditure plan and the new sales tax program. She stated that the composition of the committee will be determined by the Alameda CTC chair and the committee will hold its first meeting in July.

*Commissioner Reid motioned to approve this Item. Commissioner Worthington seconded the motion. The motion passed unanimously.*

### **8C. Approval of Goods Movement Collaborative and Authorization to Release a Request for Proposals for Development of an Alameda Countywide Goods Movement Plan**

Tess Lengyel recommended that the Commission approve the Goods Movement Collaborative and Authorization to Release a Request for Proposals for Development of an Alameda Countywide Goods Movement Plan. Ms. Lengyel reviewed information in the Goods movement collaborative Plan including guiding principles, potential partners, and the collaborative structure which includes creation of a leadership team, technical team, focus groups and several roundtable sessions.

Beth Walukas outlined the planning priorities including the plan scope of work and deliverables; schedules and, comments from Planning, Policy and Legislation Committee (PPLC).

Commissioner Worthington expressed support of the plan and highlighted the importance of goods movement throughout the county. Commissioner Worthington asked if the plan could add explicit language on any potential revenue streams from the government. Tess stated that revenue streams will be discussed in more detail throughout the plan.

Commissioner Kaplan wanted clarification on when additional plans and prioritized lists will come to the Commission. Beth stated it will come to the Commission in September.

Commissioner Kaplan had questions regarding consultant staffing efforts. Beth stated that the efforts will be lead by staff with consultant support similar to the CWTP effort.

*Reid motioned to approve the Item. Commissioner Worthington seconded the motion. The motion passed unanimously.*

#### **8D. Review of Sustainable Communities Technical Assistance Program Call for Projects**

Beth Walukas provided a review of the Sustainable Communities Technical Assistance Program. She stated that the call for projects will enable jurisdictions and project partners time to develop work scopes and budgets and that project applications will be due on September 17, 2013.

*This Item was for information only.*

### **9. Finance and Administration Committee Action Items**

#### **9A. Update on Office Relocation**

Art Dao updated the Commission on the Office Relocation. He stated we will move to 1111 Broadway where all staff will be consolidated onto one floor. The first day of operation at the new location will be September 3, 2013.

*This Item was for information only.*

### **10. Member Reports**

### **11. Adjournment**

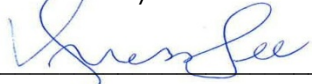
#### **The meeting adjourned at 2:53pm**

The next meeting is:

Date/Time: Thursday, July 25, 2013 @2:00 p.m.

Location: Alameda CTC Offices, 1333 Broadway, Suite 300, Oakland, CA 94612

Attested by:



Vanessa Lee,  
Clerk of the Commission



# Memorandum

6.2

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** I-580 Corridor High Occupancy Vehicle Lane Projects (PN 720.5 / 724.4 / 724.5): Monthly Progress Report

**RECOMMENDATION:** Receive a monthly status update on the I-580 Corridor High Occupancy Vehicle Lane Projects.

## Summary

The Alameda CTC is currently sponsoring the I-580 Corridor High Occupancy Vehicle (HOV) Lane Projects along the I-580 corridor in the Tri-Valley. This monthly progress report is intended to provide a status update of the various projects currently underway in the corridor. This item is for information only.

## Background

The Alameda CTC is the sponsor for the I-580 Corridor HOV Lane Projects which constructs an HOV lane in the Eastbound and Westbound directions between Pleasanton and Livermore. The projects provide increased capacity, safety and efficiency for commuters and freight along the primary trade corridor connecting the Bay Area with the Central Valley. In its role as project sponsor, the Alameda CTC has been working in partnership with Caltrans, the Metropolitan Transportation Commission (MTC), Alameda County, and the cities of Livermore, Dublin, and Pleasanton to deliver the projects.

The I-580 Corridor HOV Lane Project will be completed with the construction of three final projects in the Livermore Valley (two westbound HOV segments and one eastbound auxiliary lanes project). All of these projects are currently in construction and are being administered by Caltrans. Construction activity began in March 2013, and the project partners held a groundbreaking ceremony on June 13, 2013.

Attached for the Commission's review are the June 2013 progress reports for the I-580 Eastbound HOV Lane Project and the I-580 Westbound HOV Lane Project.

**Fiscal Impact:** There is no fiscal impact.

## Attachments

- A: I-580 Eastbound HOV Lane Project Monthly Progress Report
- B: I-580 Westbound HOV Lane Project Monthly Progress Report
- C: I-580 Corridor HOV Lane Projects – Location Map

## Staff Contact

[Stewart Ng](#), Deputy Director of Programming and Projects

[Stefan Garcia](#), Project Controls Team

# ATTACHMENT A

## I-580 Eastbound HOV Lane Project

### Monthly Progress Report Through June 1, 2013

#### PROJECT DESCRIPTION

The Eastbound (EB) I-580 HOV Lane Project includes three segments:

- **SEGMENT 1** – EB HOV lane from Greenville Road to Portola Avenue. *\*OPENED 2009\**
- **SEGMENT 2** – EB HOV lane from Portola Avenue to Hacienda Drive. *\*OPENED 2010\**
- **SEGMENT 3** – Auxiliary (AUX) Lanes between Hacienda Drive and Greenville Road.

Project scope includes:

- Construction of AUX lanes from Isabel Avenue to First Street;
- Pavement width necessary for a double high occupancy toll (HOT) lane facility;
- Final lift of asphalt concrete (AC) pavement and striping for entire EB project limits from Hacienda Drive to Portola Avenue;
- The soundwall that was deleted from the I-580/Isabel Avenue Interchange Project; and,
- The widening of two bridges at Arroyo Las Positas in the EB direction.

#### CONSTRUCTION STATUS – SEGMENT 3

##### Traffic Handling & Night Work

Construction activities include both day and night work. Significant work is involved in rehabilitating the existing pavement which requires closing traffic lanes; however, no complete freeway closures are anticipated. Due to heavy daytime traffic volumes, closing traffic lanes in the daytime is not feasible. For this reason, pavement rehabilitation work can only be done during nighttime hours. Night work will include setting lane closures and shifting traffic lanes (placement of k-rail and striping work), existing pavement rehabilitation work (crack and seat, slab replacement and overlay) and electrical work. Caltrans lane closure charts permit the contractor to perform this work at night between 9pm and 4am. Work within the median behind k-rail is expected as the first order of work and will occur during daytime hours. In addition, all bridge work is expected to occur during day time hours.

##### Completed Activities

Construction activities began in April 2013. Work completed to date includes:

- Construction Area signage installation
- Temporary striping and placement of safety barrier (k-rail) for Stage 1
- Install temporary creek diversion system for box culvert and bridge work
- Installation of bird exclusion measures at bridge locations

##### Ongoing & Upcoming Activities

Caltrans is maintaining a project website

(<http://www.dot.ca.gov/dist4/projects/i580wbhov/>) and conducts public information and outreach efforts in cooperation with Alameda CTC. Ongoing and upcoming work activities include:

- Excavate and construct retaining walls
- Widen bridge over Arroyo Las Positas
- Widen major box culvert and modify related drainage facilities



## FUNDING AND FINANCIAL STATUS – SEGMENT 3

The I-580 Eastbound HOV is funded through federal, state and local funds.

### *Funding Plan at Award – SEGMENT 3*

Project Phase	Funding Source (\$ x million)						
	CMIA	RM2	TVTC	FED	SHOPP	Meas. B	Total
PA&ED		1.54	0.64				2.18
PS&E		1.38	0.92	0.23		0.07	2.60
ROW		0.20	0.06			0.33	0.59
Construct Cap	17.87	2.20			4.69	6.08	30.84
Construct Sup	2.53	1.12				1.09	4.74
<b>TOTAL</b>	<b>20.40</b>	<b>6.44</b>	<b>1.62</b>	<b>0.23</b>	<b>4.69</b>	<b>7.57</b>	<b>40.95</b>
<b>Total Project Cost: \$40.95 M</b>							

## SCHEDULE STATUS – SEGMENT 3

The EB AUX Lane project between Hacienda Drive and Greenville Road was advertised on July 9, 2012; bids were opened on October 5, 2012. The contract was awarded to OC Jones & Sons (with a bid 6.33% below the Engineer's Estimate) by Caltrans on November 16, 2012. Construction is planned to complete in late 2014.

Project Approval	December 2011 (A)
RTL	May 2012 (A)
CTC Vote	May 2012 (A)
Begin Construction (Award)	November 2012 (A)
End Construction	November 2014 (T)

## ATTACHMENT B

### I-580 Westbound HOV Lane Project

### Monthly Progress Report

### Through June 1, 2013

#### PROJECT DESCRIPTION

The Westbound (WB) I-580 HOV Lane Project includes three segments:

- **SEGMENT 1** – WB HOV Eastern Segment from Greenville Road to Isabel Avenue.
- **SEGMENT 2** – WB HOV Western Segment from Isabel Avenue to San Ramon Road.
- **SEGMENT 3** – Bridge widening at Arroyo Las Positas Creek. This work is included in the construction contract for the EB HOV Lane Project (see Attachment A).

#### CONSTRUCTION STATUS – SEGMENTS 1 & 2

##### Traffic Handling & Night Work

Construction activities include both day and night work. Significant work is involved in rehabilitating the existing pavement which requires closing traffic lanes; however, no complete freeway closures are anticipated. Due to heavy daytime traffic volumes, closing traffic lanes in the daytime is not feasible. For this reason, pavement rehabilitation work can only be done during nighttime hours. Night work will include setting lane closures and shifting traffic lanes (placement of k-rail and striping work), existing pavement rehabilitation work (crack and seat, slab replacement and overlay) and electrical work. Caltrans lane closure charts permit the contractor to perform this work at night between 9pm and 4am. Work within the median behind k-rail is expected as the first order of work and will occur during daytime hours. In addition, all bridge work is expected to occur during daytime hours.

##### Completed Activities

Construction activities began in March 2013. Work completed to date includes:

##### **SEGMENT 1 (Eastern Segment)**

- Temporary striping, shift traffic lanes and placement of safety barrier (k-rail) on outside shoulder from Greenville to Airway
- Removed shrubs and some trees to prevent bird nesting
- Removed OH sign at N. Livermore Ave to facilitate relocation of PG&E pole.
- PG&E relocating overhead line at N. Livermore Avenue
- Install temporary creek diversion system for bridge and box culvert (RCB) widenings

##### **SEGMENT 2 (Western Segment)**

- Temporary striping, shift traffic lanes and placement of safety barrier (k-rail) on median shoulder from Airway to Foothill
- Storm Water Pollution Prevention Program (SWPPP) approved
- Removed shrubs and some trees to prevent bird nesting
- BART Barrier modifications completed.

##### Ongoing & Upcoming Activities

Caltrans is maintaining a project website

(<http://www.dot.ca.gov/dist4/projects/i580wbhov/>) and conducts public information

and outreach efforts in cooperation with Alameda CTC. Ongoing and upcoming work activities include:

#### SEGMENT 1 (Eastern Segment)

- Submittal reviews ongoing
- Foundation work for bridge widenings
- Excavate and construct retaining walls
- Construct major drainage facilities (e.g. double box culvert at Tassajara Creek)

#### SEGMENT 2 (Western Segment)

- Bridge widening at Dougherty near Dublin BART station
- Submittal reviews in progress
- Stage 1 median widening from Airway to Hacienda
- Install temporary creek diversion system at Tassajara Creek
- Construct median barrier from El Charro to Tassajara

### FUNDING AND FINANCIAL STATUS

The I-580 Westbound HOV Lane Project is funded through federal, state and local funds available for the I-580 Corridor. The total project cost is \$145.2M. The total programmed (committed) funding from federal, state and local sources is \$45.2M.

#### *Funding Plan At Award – SEGMENT 1 (Eastern Segment)*

Project Phase	Funding Source (\$ x million)								Total
	CMIA	RM2	TCRP	FED	SHOPP	Meas. B	TVTC	TCRP LONP	
PA&ED		4.44							4.44
PS&E		3.23		0.12		0.89	0.54		4.78
ROW		1.37							1.37
Const Cap	35.34		5.92	6.19	13.54	0.96			61.95
Const. Sup	6.52		1.59			2.06		0.24	10.41
<b>Total</b>	<b>41.86</b>	<b>9.04</b>	<b>7.51</b>	<b>6.31</b>	<b>13.54</b>	<b>3.91</b>	<b>0.54</b>	<b>0.24</b>	<b>82.95</b>
<b>Total Project Cost: \$82.95 M</b>									

#### *Funding Plan At Award – SEGMENT 2 (Western Segment)*

Project Phase	Funding Source (\$ x million)								Total
	CMIA	RM2	TCRP	FED	SHOPP	Meas. B	TVTC		
PA&ED		3.71							3.71
PS&E		2.71		0.10		0.73	0.46		4.00
ROW		1.12							1.12
Const Cap	33.73		2.49		9.61				45.83
Const. Sup	6.75					0.88			7.63
<b>Total</b>	<b>40.48</b>	<b>7.54</b>	<b>2.49</b>	<b>0.10</b>	<b>9.61</b>	<b>1.61</b>	<b>0.46</b>		<b>62.29</b>
<b>Total Project Cost: \$62.29 M</b>									

## SCHEDULE STATUS

### SEGMENT 1 (Eastern Segment):

The WB HOV Eastern Segment from Greenville Road to Isabel Avenue was advertised on July 16, 2012; bids were opened on September 19, 2012. The contract was awarded to Ghilotti Construction Company, Inc. (with a bid 16.33% below Engineer's Estimate) by Caltrans on November 20, 2012. Construction is planned to complete in late 2014.

Project Approval	January 2010 (A)
RTL	May 2012 (A)
CTC Vote	May 2012 (A)
Begin Construction (Award)	November 2012 (A)
End Construction	November 2014 (T)

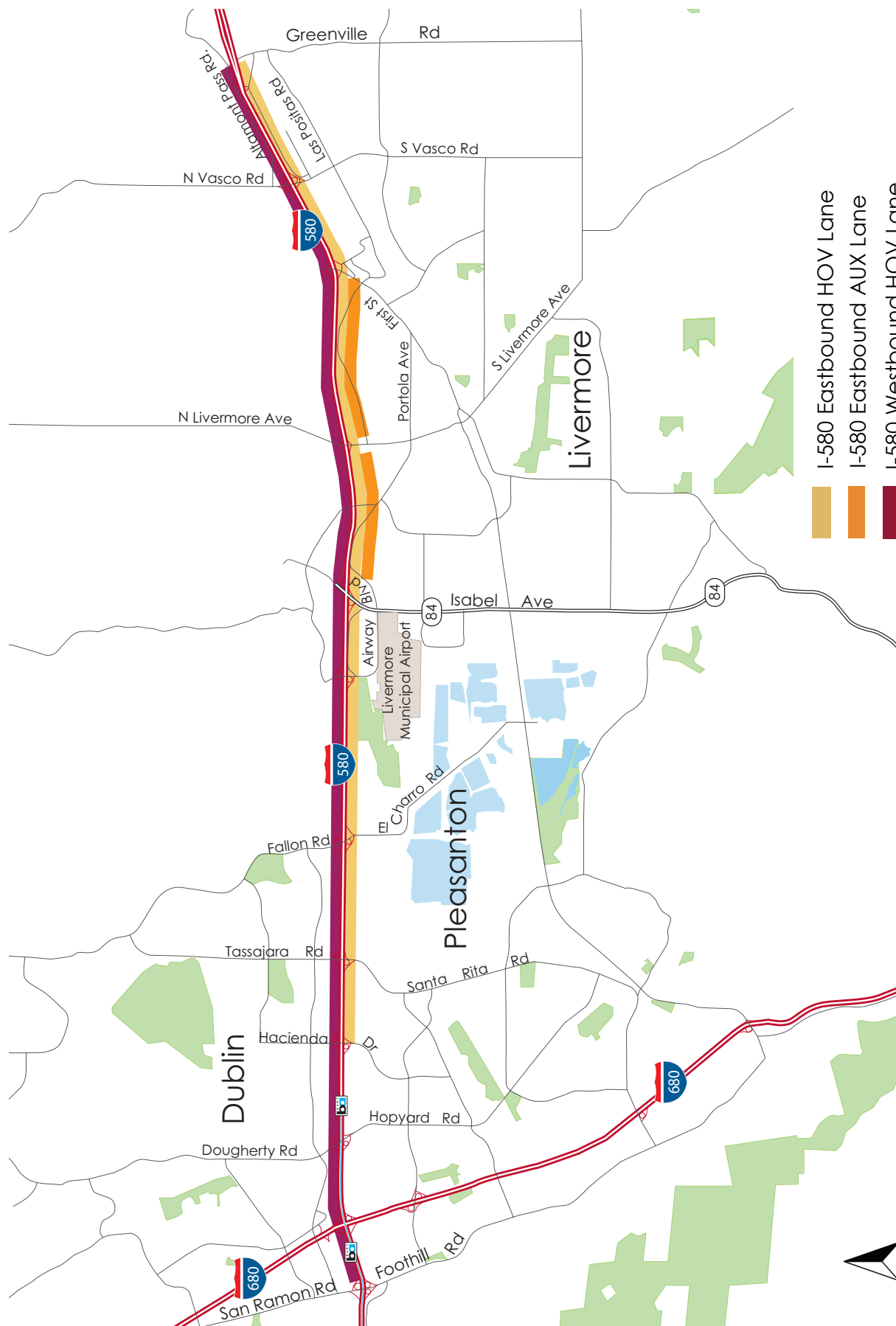
### SEGMENT 2 (Western Segment):

The WB HOV Western Segment from Isabel Avenue to San Ramon Road was advertised on June 25, 2012 and bids were opened on August 29, 2012. The contract was awarded to DeSilva Gates Construction (with a bid 23.32% below Engineer's Estimate) by Caltrans on October 29, 2012. Construction is planned to complete in late 2014.

Project Approval	January 2010 (A)
RTL	April 2012 (A)
CTC Vote	April 2012 (A)
Begin Construction (Award)	October 2012 (A)
End Construction	November 2014 (T)

***This page intentionally left blank***

# I-580 Corridor HOV Lane Projects - Location Map



Map not to scale, for illustrative purposes only

***This page intentionally left blank***





# Memorandum

6.3

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** I-580 Express Lane Projects (PN 720.4 / 724.1): Monthly Progress Report

**RECOMMENDATION:** Receive a monthly status update on the I-580 Express (HOT) Lane Projects.

## Summary

The Alameda CTC is the sponsor of the I-580 Express Lane Projects. The Eastbound I-580 Express (HOT) Lane Project will convert the newly constructed eastbound HOV lane, from Hacienda Drive to Greenville Road, to a double express lane facility. The I-580 Westbound Express (HOT) Lane Project will convert the westbound HOV lane (currently under construction) to a single express lane facility from west of Greenville Road to west of the San Ramon Road/Foothill Road Overcrossing in Dublin/Pleasanton. This monthly progress report is intended to provide a status update of the various express lane project delivery activities which are currently underway. This item is for information only.

## Background

Both I-580 Express Lane Projects are currently in the environmental phase which is forecast for completion in October 2013 and are scheduled to start construction immediately after the east and west segments of the I-580 Westbound HOV Lane and I-580 Eastbound Auxiliary Lane Projects are completed in 2014. These HOV lane projects will widen the freeway to provide the width needed for the express lane projects. The I-580 Eastbound and Westbound Express Lane Projects will construct the necessary infrastructure, such as signing, sign gantries for dynamic messaging and toll reading, electrical conduit for connecting power and communication sources, and striping to accommodate the express lanes. The System Integrator contractor will install the required communication equipment and software. The express lane facility will be open for use in 2015.

There is a current funding shortfall for the combined eastbound and westbound projects. In addition to exploring other funding sources, staff has submitted an application for a \$30 million TIGER V Discretionary Grant to complete the funding package. Letters of support for the Grant application have been received from several representatives, including local, state and federal elected officials, County of Alameda, MTC, and the Cities of Danville, Dublin and Pleasanton. The City of Livermore declined to support the TIGER V

Discretionary Grant application due to their concerns about the impacts of the express lane project on the BART to Livermore Extension project. A letter responding to the City of Livermore's concerns is included as Attachment E to this report.

For detailed information on the funding, schedule and status of the Eastbound I-580 Express (HOT) Lane, Westbound I-580 Express (HOT) Lane and System Integration, see Attachments A, B and C of this report.

### ***Delivery Strategy***

I-580 Eastbound Express (HOT) Lane and I-580 Westbound Express (HOT) Lane Projects will be combined into one construction project. This will reduce bid advertising and construction support costs and minimize potential conflicts with two contractors performing work within the same project limits and median of the highway.

Staff continues to work with Caltrans to add strategic express lane project elements to the existing I-580 Westbound HOV and I-580 Eastbound Auxiliary Lane construction contracts via contract change order, where feasible. The benefit of this approach is to avoid additional traffic disruptions to the traveling public and reduce or eliminate re-work. Items under consideration to be included as contract change order work includes:

- Electrical Conduit – across and along I-580
- Striping – stripe to final express lane configuration
- Install K-rail along median at sign locations

### ***“Near Continuous” Access Configuration Status***

Staff is currently moving forward with the concept of a “near continuous” access configuration in lieu of “limited” access for the express lanes on the I-580 corridor. The “near continuous” (aka “more open”) access configuration would eliminate the two foot buffer between the express lane and the general purpose lanes except at “hot spots” or “safety zones” such as between Hacienda and Fallon Road (eastbound) and Hacienda and I-680 (westbound). The project team is working on refining the traffic operations analysis for a “near continuous” access configuration. This process has required more work and time than originally anticipated; which will result in a delay in completion of the environmental phase of the eastbound project until approximately October 2013. The construction start date will not be delayed and is scheduled to start in fall 2014.

In addition, other project revisions are underway to implement the “near continuous” access concept including revisions to the toll systems software, changes to the location of the Dynamic Message Signs (DMS) and toll gantries, updating the Concept and Operations Plan and System Engineering and Management Plan, and analyzing zone tolling requirements.

**Fiscal Impact:** There is no fiscal impact.

### **Attachments**

- A: I-580 Eastbound Express (HOT) Lane Project Monthly Progress Report
- B: I-580 Westbound Express (HOT) Lane Project Monthly Progress Report
- C: I-580 Express (HOT) Lanes System Integration Monthly Progress Report
- D: I-580 Corridor Express Lane Projects – Location Map
- E: Alameda CTC Response Letter to the City of Livermore, dated June 20, 2013

### **Staff Contact**

[Stewart Ng](#), Deputy Director of Programming and Projects

[Gary Sidhu](#), Project Controls Team

***This page intentionally left blank***

## ATTACHMENT A

### I-580 Eastbound Express High Occupancy Toll (HOT) Lane Project Monthly Progress Report Through June 30, 2013

#### PROJECT DESCRIPTION

The Eastbound I-580 Express HOT Lane Project will convert the newly constructed eastbound HOV lane, from Hacienda Drive to Greenville Road, to a double express lane facility.

#### PROJECT DELIVERY STATUS

The Environmental Phase for this project is underway as follows:

- Environmental studies are complete and the Initial Study and Environmental Assessment (IS/EA) is drafted and ready to circulate pending updating for changes to address “near continuous” access alternative and Caltrans approval of the Traffic Operational Analysis Report and Draft Project Report in July 2013. The estimated date of circulation of the draft IS/EA is July 2013. A 30 day public circulation period is required in addition to a public meeting expected in August 2013.
- Staff is working to coordinate with the three I-580 HOV lane projects currently in construction (I-580 Westbound HOV - West Segment, I-580 Westbound HOV - East Segment, I-580 Eastbound HOV Segment 3 - Auxiliary Lanes) to add some express lane elements to the civil projects via contract change order (CCO).

#### POTENTIAL ISSUES/RISKS

- Funding – Current funding shortfall to implement “near continuous” approach. (See “Funding & Financial Status” at the end of Attachment C). Staff is pursuing a TIGER V Discretionary Grant funding and exploring other options to fully fund the project.
- Schedule impacts –additional project delays to the environmental phase due to refinement of traffic analysis for “near continuous” access configuration and final agreement on the Design Exceptions. The delay in environmental phase is not expected to have any effect on construction start which is scheduled to start in 2014.

#### SCHEDULE STATUS

##### I-580 Eastbound Express (HOT) Lane Project Schedule:

Project Approval	October 2013
RTL	June 2014
Begin Construction	September 2014
End Construction	June 2015

## **RECENT ACTIVITIES**

- Refining traffic studies for “near continuous” access alternative
- Updating the civil work cost estimate and System Integration scope and cost
- Discussing dynamic messaging and other sign plans with Caltrans to get their approval

## **UPCOMING ACTIVITIES**

- Finalize Traffic Study refinements – Target July 2013
- Finalize Draft Project Report – Target June 2013
- Circulate the Draft IS/EA for 30 day public comment – working toward July 2013 circulation of document; dependent on completion of additional work for conversion to “near continuous” access. A public meeting will be held during the 30 day comment period
- Working toward environmental clearance and project approval by Caltrans and the Federal Highway Administration by October 2013
- Determine items to be added to HOV lane projects via CCO – Target June 2013

**ATTACHMENT B**  
**I-580 Westbound Express High Occupancy Toll (HOT) Lane Project**  
**Monthly Progress Report**  
**Through June 30, 2013**

**PROJECT DESCRIPTION**

The I-580 Westbound HOT Lane Project will convert the planned westbound HOV lane to a single express lane facility on I-580 in Alameda County from west of the Greenville Road Undercrossing in Livermore to west of the San Ramon Road/ Foothill Road Overcrossing in Dublin/Pleasanton, a distance of approximately 14 miles.

**PROJECT DELIVERY STATUS**

The environmental phase for this project is underway as follows:

- Traffic studies are being updated to include an evaluation of the "near continuous" access alternative.
- The environmental document; which is a Categorical Exemption (CE)
- A Supplemental Project Report is being reviewed by Caltrans.
- Staff is working to coordinate with the three I-580 HOV lane projects currently in construction (I-580 Westbound HOV - West Segment, I-580 Westbound HOV - East Segment, I-580 Eastbound HOV Segment 3 - Auxiliary Lanes) to add some express lane elements to the civil projects via contract change order (CCO).

**POTENTIAL ISSUES/RISKS**

- Funding – there is a current funding shortfall. (See Funding & Financial Status at the end of Attachment C). Staff is pursuing a TIGER V Discretionary Grant and exploring other options to fully fund the project.
- Schedule impacts –There have been some delays associated with completing the traffic studies for the "near continuous" access approach. The target date for completion of the environmental phase is currently July 2013. This delay is not expected to have any effect on construction start which is scheduled for fall 2014.

**SCHEDULE STATUS**

**I-580 Westbound Express (HOT) Lane Project Schedule:**

Project Approval	July 2013
RTL	June 2014
Begin Construction	September 2014
End Construction	June 2015



## **RECENT ACTIVITIES**

- Environmental technical studies and completion of traffic studies (including “near continuous” access configuration) are underway
- Completion of geometrics and Supplemental Project Report (including Design Exceptions) are underway
- Discussing dynamic messaging and other sign plans with Caltrans for their approval.
- Draft Traffic Operational Analysis Report (TOAR) being reviewed by Caltrans.
- A Public Outreach Meeting was held on May 14, 2013.

## **UPCOMING ACTIVITIES**

- Supplemental Project Report Approval – Target July 2013
- Final environmental clearance – Target July 2013

**ATTACHMENT C**  
**I-580 Express (HOT) Lanes Systems Integration**  
**Monthly Progress Report**  
**Through June 30, 2013**

**SYSTEM INTEGRATION SCOPE DESCRIPTION**

The I-580 Express Lane civil work will construct the necessary infrastructure, such as signing, sign gantries for dynamic messaging and toll reading, electrical conduit for connecting power and communication sources, and pavement striping to accommodate express lanes. The System Integrator will include tolling hardware design and software development, factory testing of design, equipment and system installation, and road geometry and toll system integration. It will also consist of field testing of the toll equipment and all subsystems including the interfaces to the BATA Regional Customer Service Center and Caltrans prior to implementing the new express lanes.

**Detailed Discussion**

The systems integration focuses on the most recent technologies including software, hardware and traffic detection that will be deployed to optimize the existing corridor capacity in order to effectively manage the current and forecasted traffic in the corridor. The system integrator, however, will continue to own the software while the implementing agency will pay for the use of license to allow for the usage of the toll integrator's software.

In March 2010, the Alameda CTC retained Electronic Transaction Consultants (ETC) Corporation as its Systems Integrator for implementation of the new electronic toll collection system for the I-580 Eastbound Express Lanes facility. As discussed at the previous I-580 PAC meetings, the agency and ETC staff have been working toward revising the contract requirements to revise the express lane access configuration from "limited" to a "near continuous" operating concept and include additional tasks for implementing the electronic toll collection system for the Westbound I-580 Express Lane. With the revisions to the consultant services agreement, ETC would be responsible for the toll system design, development, factory testing, installation, integration, field testing and operations and maintenance, for the new I-580 express lanes in both directions of travel.

The "near continuous" concept provides additional access opportunities while reducing the foot-print required for implementing a shared express/general purpose lane facility. In addition, it looks and feels almost like an HOV facility and, therefore, would expect to provide driver familiarity.

**Project Status**

The following is a detailed discussion of the major activities that are either progressing or planned for in 2013:

### **Project Geometry and Electronic Toll System Design**

The civil/roadway designers have developed geometry for the “near continuous” express lanes operating concept. Geometric development is an iterative process as it requires close coordination with the operational analysis and needs to address operational, safety and enforcement issues. The latest version of the express lanes concept proposes the following:

In the eastbound I-580 direction:

- Buffer separated single-lane HOV/Express Lane will be installed from Hacienda Drive to Fallon Road
- Continuous dual-lane HOV/Express Lane will be installed from Fallon Road to west of Vasco Road
- Continuous single-lane HOV/Express Lane will be installed from west of Vasco Road to Greenville Road

In the westbound I-580 direction:

- Continuous single-lane HOV/Express Lane will be installed from Greenville Road to Hacienda Drive
- A buffer separated single-lane HOV/Express Lane will be installed from Hacienda Drive to the I-580/I-680 Interchange

Additional coordination between the designers and Caltrans is necessary prior to finalizing the project geometry.

On a regular basis, the civil and toll system designers have been coordinating their designs and have determined the preliminary locations of the toll equipment, such as the Dynamic Message Signs (DMS), the toll antennas and readers. ETC staff will design the toll system software and hardware based on the identified new toll equipment locations, the power and communication sources, and the revised express lanes access configuration. ETC will also define the power and communication requirements for the electronic toll collection system design and provide this information to the civil/roadway design team for their power/communication design.

### **Traffic and Revenue Study**

The travel demand forecast and toll revenue forecasts in both directions of the I-580 express lanes facility are being updated to reflect post-recession traffic numbers. In addition, the revenue model will incorporate the post-recession socio/economic conditions that have been experienced in the east county communities and the near continuous access concept.

While the “near continuous” access could potentially generate additional revenue, it might lead to an increase in revenue leakage due to challenges associated with enforcing express lane violations in a “continuous” express lane concept. Project staff is exploring an automated violation enforcement system concept to try and deter system violations, as described in subsequent sections of this memorandum.

### **Concept of Operations/System Engineering Management & Enforcement Plans**

CDM Smith staff will be updating a concept of operations (Con Ops) plan and a system engineering management plan (SEMP) to reflect the changes described above. These

plans will outline the engineering process, the testing process, QA/QC guidelines, toll maintenance and operations requirements, and communication network requirements. A System Enforcement plan needs to be developed by CDM Smith, utilizing electronic equipment to deter/minimize toll evasion/violation. A final SEMP will include both the Con Ops and the System Enforcement plan as appendices; and will require FHWA review and approval.

#### **Software and hardware design**

ETC will revise the Detailed Design Document (DDD) for the software and hardware development based on deploying a "near continuous" access express lane system. The designers will also revise the communication network and electrical power needs. ETC staff will then perform a series of factory and field tests and work with the agency staff to validate its hardware and software design, prior to opening the new express lanes facility.

#### **Toll Pricing and Rate Publishing**

As discussed in previous meetings, for practical purposes and to curtail toll violation, a zone-based toll pricing scheme likely will be implemented to effectively support the "near continuous" access configuration. The zone-based toll rates will be displayed to patrons via the DMSs. However, since the "near continuous" access approach is a new concept and first of its kind to be implemented in California, additional details for pricing and messaging will have to be analyzed and determined during the system design process, prior to finalizing the electronic toll collection and price-setting systems.

#### **Toll Antennas, Readers and Violation Enforcement Subsystem**

Closely spaced toll antennas and readers will help facilitate a "near continuous" access express lane configuration since it will lead to an effective FasTrak® transponder read. It should also support more effective toll violation enforcement. Various local and regional agencies are currently studying the potential effects of placing toll reader gantries at various intervals through the corridor, for example from ½ mile or 1 mile intervals, which is expected to effectively support a "near continuous" access express lane facility. While evaluating a preliminary project geometry and electronic toll collection system design, staff situated the toll gantries at approximately ¾ mile intervals. Efforts were made by the project design team to combine the tolling gantry and DMS locations at the same locations, for use in both directions of travel.

Since the "near continuous" access will employ an increased number of toll gantries (for readers), it will be difficult to enforce manual toll violation enforcement. Therefore, an automated toll violation enforcement system strategy will have to be designed and deployed to effectively manage the toll violation enforcement. The issues related to customer privacy, toll dispute resolution, customer service and issuance of automated violation tickets will have to be vetted to ensure that it can be implemented within the current California vehicle code and agency requirements. In addition, to enhance system violation detection, additional CCTV cameras and violation enforcement system (VES) cameras (for license plate capture) will need to be designed, developed, integrated into the toll system and installed.

LA Metro implemented switchable transponders when it opened its express lanes on I-110 and I-10. However, the switchable transponders are new to Bay Area toll customers. Therefore, the robust public education/outreach program that the agency

plans to employ, at least a year prior to opening the facility, will have to include additional information about these toll transponders (i.e. how to obtain it, who needs to use it, how it works, how to reach customer service, etc.).

The Golden Gate Bridge Authority implemented another payment option, payment through pay-by-plate. The user will be required to open up an account to pay via their license plate. Our initial assessment indicates that this payment option is likely to encounter challenges since it will be difficult to distinguish the HOV and SOV users in an open/shared express lane facility, unless every vehicle is required to register as either an HOV or SOV vehicle. Staff will continue to evaluate and collaborate with other toll operators and report back to the committee on whether the I-580 Express Lanes will employ such payment option.

A Work Plan for the I-580 Express Lanes; presented in April 2013 I-580 PC meeting included a timeline for the approval of all toll policies and business operating rules, financial breakeven analysis, the SEMP; development of project delivery and financing strategies, completion of electronic toll system design, and development of a public education/outreach program. In addition, the policy matters/business rules will be discussed and adopted by the I-580 PC and Commission prior to implementation of the I-580 Express Lanes.

In summary, even though the "near continuous" access concept provides additional opportunities it is a relatively new concept for implementation in the region. Additional research, education and evaluation are necessary for effective implementation of such a concept for all future Alameda County Express Lanes, including the I-580 Express Lanes. Staff is committed to working closely with other likeminded agencies/industry experts to move forward and implement an effective electronic toll collection system strategy to effectively support a "near continuous" access express lane configuration.

## **RECENT ACTIVITIES**

- Alameda CTC, URS, CDM Smith and ETC staff have been working towards revising ETC contract requirements to revise the express lane access configuration from "limited" to a "near continuous" approach and include additional tasks for implementing the electronic toll collection system for the Westbound I-580 Express Lane.
- Continue to work on "zone tolling", pricing and automated violation strategies.
- Express Lane sign plans have been reviewed by Caltrans. Staff is working with design consultant teams and Caltrans to develop system design requirements.

## **UPCOMING ACTIVITIES**

- Finalize contract negotiations with ETC – Target June 2013
- ETC contract amendment – Target date July 2013 Commission Meeting
- Prepare Draft Concept Operations Plan – Target June 2013
- Prepare Draft System Engineering Management Plan – Target July 2013

## FUNDING AND FINANCIAL STATUS

### *Combined Eastbound & Westbound Funding Plan for “near continuous” access*

There is a \$30 million funding shortfall for the combined eastbound and westbound projects. In addition to exploring other funding sources, staff has submitted an application for a \$30 million TIGER V Discretionary Grant to complete the funding package. Letters of support for the Grant application have been received from several representatives, including local, state and federal elected officials, County of Alameda, MTC, and the Cities of Danville, Dublin and Pleasanton. The City of Livermore declined to support the TIGER V Discretionary Grant application due to their concerns about the impacts of the express lane project on the BART to Livermore Extension project. A letter responding to the City of Livermore's concerns is included as Attachment E to this staff report.

Project Phase	Funding Source (\$ x million)							
	ARRA	Federal Earmark	RM2	TVTC	TCRP Deferred	Local (Meas. B)	TBD	Total
PA&ED			1.39	2.17	0.10			3.66
PS&E	0.70		0.11	0.93	3.10			4.84
Sys. Int.	6.80			0.68	1.47		8.05	17.00
ROW				0.37				0.37
Const. Support			2.55		0.05	1.47		4.07
Construct Cap		1.00		0.63	1.28		21.65	24.56
O&M						0.18	0.30	0.48
<b>TOTAL</b>	<b>7.50</b>	<b>1.00</b>	<b>4.05</b>	<b>4.78</b>	<b>6.0</b>	<b>1.65</b>	<b>30.00</b>	<b>54.98</b>
<b>Total Project Cost: \$54.98 M</b>								

**Note:** An additional funding shortfall of \$3M from the previous report is due to additional lighting required by Caltrans based on the Safety Review Committee's recommendations.

***This page intentionally left blank***



# I-580 Express Lane Projects Location map



***This page intentionally left blank***



June 20, 2013

Mayor John Marchand  
1052 South Livermore Avenue  
Livermore, CA 94550

Dear Mayor Marchand,

Thank you for your letter dated May 23, 2013, identifying your concerns related to the I-580 Express Lanes Project and the future unfunded BART to Livermore Extension Project, for which the detailed scope, cost and schedule have yet to be identified. I regret that you were not able to support the Express Lanes Project's TIGER V Discretionary Grant application because of these concerns.

The I-580 Express Lanes project is one of the many planned and approved transportation projects that are being implemented along the I-580 Corridor to address chronic traffic congestion, freight needs and air quality issues in the Tri-Valley. Consistent with the I-580 corridor improvements plan that has been vetted and approved over the past years, the delivery of the I-580 Express Lanes Project is the appropriate and prudent next step in reducing the recurring traffic congestion and delays, and improving the overall safety of the travelling public. Based on regional traffic forecasts, congestion on I-580 is expected to increase in the future. Alameda CTC along with its partners in the Tri-Valley, have aggressively sought solutions to relieve congestion and improve mobility within the I-580 Corridor.

As we have discussed previously, the I-580 Express Lanes project will not preclude the implementation of a future BART extension in the median. At this point, the proposed BART extension is only to the vicinity of the Isabel Avenue Interchange. It is being environmentally evaluated, and no formal final decision has been made regarding a BART extension further to the east. The reason that we can tell you with confidence that the Express Lanes Project will not preclude the future BART extension is the fact that even prior to the construction of the carpool lanes/express lanes, the median was never wide enough to accommodate BART in the median. With or without the Express Lanes (including the dual lane portion) in place, any BART extension project in the median of I-580 would have to widen the median and relocate the freeway. This would require acquisition of additional right of way in the future. The City, through its own local and administrative process, could elect to preserve the right of way now, and we would encourage the City of Livermore and other cities to do so at your own costs.

The Caltrans Highway Design Standard Exception process is a State Department of Transportation process which is fully controlled by the State. The process does not allow for the Alameda CTC, or any similar project proponent, to seek a design exception for a future unfunded project which has yet to be environmentally approved, such as the BART to Livermore Extension project. Each project on the State highway system must undergo its own design standard analyses and decide whether it could meet the design standards or pursue design exceptions. Through a complex and protracted process, Caltrans had approved a set of design exceptions for the I-580 Express Lanes project. Caltrans could choose to modify that decision for a future project. The Alameda CTC design team has prepared an analysis illustrating how BART and the Express Lanes could fit under existing structures with the granting of a design exception for up to a two foot shoulder. Whether or not Caltrans would grant that design exception cannot be determined at this time.

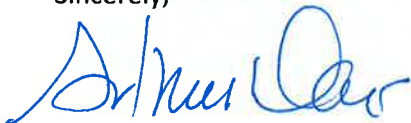
In an effort to further alleviate your concerns regarding the impacts of Express Lanes project on BART Livermore Extension, please consider the following information:

- The need for the I-580 Express Lanes project is based on current and forecast traffic needs in the I-580 corridor. In the eastbound direction, it was determined that dual express lanes are necessary to accommodate this demand and alleviate congestion. This second lane is being implemented within the foot print of the current roadway width.
- Express Lanes do not add to the future costs of the BART to Livermore Extension project. Each project must undergo its own cost analysis based upon the conditions at the time that the project is delivered. Each project must develop its own funding plan, based on the project scope, purpose and needs, and project requirements. The I-580 Express Lanes project is being implemented with an approved scope that is responsive to the purpose and needs.
- The I-580 Express Lanes project is consistent with overall system planning within the I-580 corridor. This approach has been endorsed and approved by the Alameda CTC Board and is documented in the approved Project Study Report (PSR) and the environmental document for the project.
- A draft revenue study for the project is currently under development. Results of the analysis will be presented to the I-580 Policy Committee at its September 2013 meeting. As outlined in the Work Plan presented at the April 2013 I-580 PAC meeting, Express Lane policies (HOV3+ and others) will be discussed in future meetings. These policy decisions will be jointly made with MTC, CHP and Caltrans.
- Alameda CTC's Measure B Strategic Plan and long range Countywide Transportation Plan include multimodal improvements, including improvements to transit and ride share programs. Multimodal corridor planning studies are a part of the Alameda CTC's work plan.

The I-580 Express Lanes project is an important component of the regional transportation network and is a critical project which addresses current and future regional and interregional transportation needs. The I-580 Express Lanes project is consistent with the overall transportation planning within the I-580 Corridor. The project has been endorsed and approved by the Alameda CTC and the appropriate advisory committees.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



ARTHUR L. DAO

Executive Director

Alameda County Transportation Commission

Cc: Alameda CTC I-580 Policy Advisory Committee Members  
Alameda CTC Commissioners  
Mr. Stewart Ng, Alameda CTC Deputy Director of Projects and Programming



# Memorandum

6.4

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** Request for Qualifications (RFQ) for On-Call Consultants for Countywide Travel Demand Model Maintenance and Modeling Work

**RECOMMENDATION:** Approve issuing a Request for Qualifications (RFQ) for selection of qualified consultants provide on-call modeling services related to performing model maintenance and address modeling needs for the Countywide Travel Demand Model, and entering into an agreement with the selected consultants.

## Summary

The Alameda CTC as the Congestion Management Agency for Alameda County is required to develop and maintain a Countywide Travel Demand Model as part of the Congestion Management Program (CMP). The CMP legislation mandates the countywide model to be consistent with the assumptions of the regional travel demand model developed by the Metropolitan Transportation Commission (MTC) and the most current land use and socioeconomic database adopted by the Association of Bay Area Governments (ABAG) for Alameda County. To comply with the legislative requirements, the current Alameda Countywide Travel Demand Model is in the process of being updated, and is scheduled to be completed by April 2014. To maintain the updated countywide model and to perform modeling tasks as needed, a list of on-call consultants is proposed to be established by December 2013.

## Background

Alameda CTC is maintaining a countywide travel demand model that is consistent with the assumptions of the regional travel demand model and the most current land use and socioeconomic database adopted by the Regional Planning Agency. In the Bay Area, MTC maintains the regional travel demand model for the nine county Bay Area region, while ABAG develops the land use and socioeconomic database for the region. To comply with the legislative requirements, the existing Alameda countywide model is currently being updated to incorporate the soon to be adopted Sustainable Communities Strategy (SCS) database developed by ABAG and other key features of the regional model. The Santa

Clara Valley Transportation Authority (VTA) is performing the current update of the Alameda countywide travel demand model.

Since the Alameda CTC does not have in-house staff to maintain or operate the countywide travel demand model, consultant services are used for this purpose. Upon completion of the current model update, future maintenance and on-call modeling work related to the updated model will be done by on-call consultant(s), who will be established through the procurement process by releasing a Request for Qualifications. The Commission, while approving the model update contract in January 2013, directed establishing the on-call consultants list prior to completion of the model update so that the selected consultants will develop a better understanding of the model features and to promote a seamless transition into the maintenance and use of the model. The on-call consultant list is anticipated to be finalized by December 2013, and therefore will leave adequate time to coordinate with the selected consultant(s) during the final stages of the model update.

### **Proposed Scope of Work for establishing On-Call Modeling Consultants Team**

The scope of work presented below describes the general work expected to be performed for the on-call modeling tasks related to the Countywide Travel Demand Model. The updated model will be available for use and therefore for the on-call modeling tasks by April 2014. Examples of the types of on-call modeling assistance needed include:

- performing model maintenance to maintain model output accuracy
- incorporating planned projects such as the adopted State Transportation Improvement Program (STIP)
- performing select link analysis for the Level of Service Monitoring and other purposes
- supporting modeling needs related to special transportation studies
- assisting in modeling needs to implement the Countywide Transportation Plan and the Congestion Management Program
- supporting modeling needs related to the development of the Countywide Goods Movement Plan, Countywide Transit Plan and Countywide Multimodal Arterial Corridor Plan

The services of the consultants will be utilized as an on-call as needed basis throughout the contract period and will be paid for on task-by-task basis. Depending on the scope of the individual task, one or more consultants will be selected from the established list to assist in the respective task. The contract period is anticipated to be up to three years ending in June 2016 with the option on the part of Alameda CTC to extend in one-year increments for up to a total of two additional years.

**Fiscal Impact:** The fiscal impact for approving this item is \$70,000 for the fiscal year 2013-14, which was included in the budget adopted for FY 2013-14.

**Staff Contact**

[Beth Walukas](#), Deputy Director of Planning

[Saravana Suthanthira](#), Senior Transportation Planner

***This page intentionally left blank***





# Memorandum

6.5

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** Transportation Fund for Clean Air (TFCA) Final FY 2013/14 Program

**RECOMMENDATION:** 1) Approve the FY 2013/14 TFCA program, including final approval for \$1,428,821 for 12 projects. The recommended program includes unprogrammed capacity of \$90,000 that will require an additional programming action in September.

2) Provide Input on staff suggestions for streamlining the TFCA Program.

## Summary

Of the \$1,888,821 available for the FY 2013/14 TFCA program, two projects received final approval in June, for a total of \$370,000, leaving a remaining balance of \$1,518,821. At this time a total of \$1,428,821 is recommended for final approval for 12 projects. For the remaining \$90,000, a final programming action will be required in September 2013 to secure the remaining funds. Staff suggestions for streamlining the TFCA program have also been provided for review.

## Background

TFCA funding is generated by a \$4.00 vehicle registration fee collected by the Air District. Projects that result in the reduction of motor vehicle emissions are eligible for TFCA. Eligible projects are to achieve surplus emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations. Projects typically funded with TFCA include shuttles, bicycle lanes and lockers, signal timing and trip reduction programs. As the TFCA Program Manager for Alameda County, the Alameda CTC is responsible for programming 40 percent of the four dollar vehicle registration fee that is collected in Alameda County for this program. Five percent of new revenue is set aside for the Alameda CTC's administration of the TFCA program. Per the Alameda CTC TFCA Guidelines, 70 percent of the available funds are to be allocated to the cities/county based on population, with a minimum of \$10,000 to each jurisdiction. The remaining 30 percent of the funds are to be allocated to transit-related projects on a discretionary basis. The FY 2013/14 fund estimate is included as Attachment A and indicates each agency's balance.

In developing the annual TFCA program, considerations include the following:

- The total amount of available TFCA is required to be completely programmed on an annual basis.
- The eligibility and cost-effectiveness requirements of the program.
- A jurisdiction may borrow against its projected future share in order to receive more funds in the current year, which can help facilitate the programming of all available funds.

### ***FY 2013/14 Program***

The recommended final program, included as Attachment B, has several revisions from the draft program considered by the Commission last month. Key changes include:

- AC Transit and LAVTA proposed substitute projects.
- For several projects, the recommended TFCA amount has been adjusted from the draft program based on final project cost-effectiveness results. Sponsors of projects with funding shortfalls, due to an amount of recommended TFCA that is less than the amount requested, were also requested to confirm whether funding from other sources will be committed to the project to fill the shortfall.
- City of Hayward's project is recommended for \$190,000 through the FY 2013/14 program. The City currently carries a negative share balance of approximately \$500,000. To ensure funding equity over the life of the TFCA program, staff will continue to monitor future TFCA funding to reduce the negative balance.
- Any funds that remain unprogrammed at the time of the July Commission action will be brought back to the Commission in September with a recommendation to utilize all funds. FY 2013/14 funds are required to be programmed by November 1, 2013.

### ***Streamlining the TFCA Program***

In response to feedback received from the Chair of the Commission and ACTAC, staff began compiling a list of suggestions to streamline the administration of the TFCA program. The suggestions are proposed to be transmitted to the Air District and to date include:

- Revisit the TFCA cost-effectiveness (CE) threshold of \$90,000 of TFCA funds per ton (\$90,000/ton) of emission reduced. Higher vehicle emissions standards has made it increasingly difficult for projects to achieve the \$90,000/ton TFCA cost-effectiveness threshold.
- Consider moving away from requiring project-specific surveys and data collection for certain projects, and instead use default values (e.g., pre-determined estimates for average trip distance, target population, capacity, etc.) along with commute data from existing sources for pre- and post-project evaluations.
- Consider the default Average Daily Traffic (ADT)-based formula used to determine eligibility for bike facility projects to be sufficient for evaluating project emissions reductions (in lieu of pre- and post-project bike counts), consistent with the approach used for bike storage facilities.

- Consider developing pre-determined TFCA award amounts (per rider, participant or capacity) in place of project-specific data collection, such as surveys and counts.
- Provide more comprehensive guidance for projects that support newer technologies to encourage applications and assist County Program Managers with determining TFCA eligibility for these projects.
- Reformat survey templates to facilitate electronic surveying practices.

**Fiscal Impact:** The fiscal impact for approving this item is \$1,428,821, which was included in the budget adopted for FY 2013/14.

### **Attachments**

- A. TFCA FY 2013/14 Fund Estimate
- B. TFCA FY 2013/14 Final Program

### **Staff Contacts**

[Matt Todd](#), Principal Transportation Engineer

[Jacki Taylor](#), Program Analyst

***This page intentionally left blank***

# TFCA FY 2013/14 Fund Estimate - Final - March 2013

Agency	Population (Estimate)	% Population	Total % of Funding	TFCA Funds Available (new this FY)	Balance from Previous FY	Programmed in Last Cycle	Funds Relinquished This FY	FY 12/13 Rollover (Debits/ Credits)	TFCA Balance (New + Rollover)
Alameda	74,640	4.87%	4.86%	\$ 61,843	\$ (495,207)	\$ -	\$ 1,679	\$ (493,528)	\$ (431,685)
Alameda County	142,833	9.32%	9.30%	\$ 118,344	\$ 4,976	\$ -	\$ 6,090	\$ 11,066	\$ 129,410
Albany	18,488	1.21%	1.20%	\$ 15,318	\$ (46,555)	\$ -	\$ -	\$ (46,555)	\$ (31,237)
Berkeley	114,821	7.49%	7.48%	\$ 95,135	\$ 118,169	\$ -	\$ 3,515	\$ 121,684	\$ 216,819
Dublin	46,785	3.05%	3.05%	\$ 38,764	\$ 116,719	\$ -	\$ -	\$ 116,719	\$ 155,483
Emeryville	10,200	0.67%	0.79%	\$ 10,000	\$ 17,565	\$ -	\$ -	\$ 17,565	\$ 27,565
Fremont	217,700	14.21%	14.18%	\$ 180,375	\$ 39,721	\$ -	\$ -	\$ 39,721	\$ 220,096
Hayward	147,113	9.60%	9.58%	\$ 121,890	\$ (660,439)	\$ -	\$ 636	\$ (659,803)	\$ (537,913)
Livermore	82,400	5.38%	5.37%	\$ 68,272	\$ 242,812	\$ -	\$ -	\$ 242,812	\$ 311,084
Newark	43,041	2.81%	2.80%	\$ 35,662	\$ 194,299	\$ -	\$ -	\$ 194,299	\$ 229,961
Oakland	395,341	25.80%	25.75%	\$ 327,559	\$ 179,337	\$ 35,300	\$ 39,858	\$ 183,895	\$ 511,454
Piedmont	10,807	0.71%	0.79%	\$ 10,000	\$ 34,899	\$ -	\$ -	\$ 34,899	\$ 44,899
Pleasanton	71,269	4.65%	4.64%	\$ 59,050	\$ (26,628)	\$ 57,507	\$ -	\$ (84,135)	\$ (25,085)
San Leandro	86,053	5.62%	5.61%	\$ 71,299	\$ 27,998	\$ -	\$ 4,843	\$ 32,841	\$ 104,140
Union City	70,646	4.61%	4.60%	\$ 58,534	\$ 98,988	\$ -	\$ -	\$ 98,988	\$ 157,522
<b>TOTAL:</b>	<b>1,532,137</b>	<b>100.00%</b>	<b>100.00%</b>	<b>\$ 1,272,044</b>	<b>\$ (153,347)</b>	<b>\$ 92,807</b>	<b>\$ 56,622</b>	<b>\$ (189,532)</b>	<b>\$ 1,082,512</b>

FY 13/14 TFCA Revenue (Per Exp. Plan) \$ 1,896,911 (5% of this line is the admin. limit)

FY 11/12 admin "actual" 5% adjustment \$ 4,049

Calendar year 2012 Interest Earned \$ 11,091

Total Funding Available \$ 1,912,052

	Guarantee 70%	Discretionary 30%
Less 5% for Program Administration	\$ 94,846	
<b>Total Programming Capacity</b>	<b>\$ 1,817,206</b>	<b>\$ 545,162</b>
Relinquishments	\$ 71,615	\$ 14,994
FY12/13 Rollover (debit/credit) Adjustment	\$ -	\$ 246,150
Subtotal Relinquishments & Rollover Adjustments	\$ 71,615	\$ 261,144
<b>Adjusted Total Available to Program</b>	<b>\$ 1,888,821</b>	<b>\$ 806,305</b>

## Notes:

1. Includes all TFCA programming actions through 12/31/12.
2. Population estimates as of 1/01/12 from Dept. of Finance (www.dof.ca.gov).

***This page intentionally left blank***

## TFCA County Program Manager Fund - FY 2013/14 Final Program

Sponsor	Project Name	Project Description	Total Project Cost	Amount Requested	TFCA Cost-effectiveness	Recommended Final Program	Notes
<b>70% City/County Share</b>							
Alameda County	Fairmont Rd Class II Bike Lanes	Class II Bicycle Lane Gap Closure on Fairmont Drive between E. 14th Street and Liberty, in the Ashland Unincorporated Area of Alameda County.	\$340,000	\$200,000	\$89,518	\$0	Eligible for up to \$112,000 of TFCA, but project schedule is better aligned with next year's TFCA program (FY 2014/15).
Berkeley	Berkeley Citywide Bicycle Parking Project	Purchase and installation on the public right-of-way of at least 278 bicycle racks citywide, including six (6) pilot in-street "bicycle corral" locations along commercial corridors. The City will install racks primarily on sidewalks near commercial areas, schools, and parks.	\$155,000	\$155,000	\$39,748	\$ 155,000	
East Bay Regional Park District	Iron Horse Trail Dublin/Pleasanton BART Santa Rita Road	Construct a 1.6-mile concrete Class 1 segment of the Iron Horse Regional Trail between the Dublin/Pleasanton BART Station and Santa Rita Road Project.	\$4,320,000	\$750,000	\$87,137	\$ 180,000	Final approval received in June.
Fremont	Arterial Management Program - Ardenwood, Mission, and Stevenson Bldgs	This project will improve arterial operations along three corridors: Ardenwood, Stevenson, and Mission Boulevards by implementing new signal coordination timings and upgrading most of the existing traffic signal equipment to enhance the operation of the traffic signal coordination.	\$218,000	\$218,000	\$66,080	\$ 76,000	Funds recommended only for Stevenson Blvd. Ardenwood & Mission segments ineligible for TFCA.
Hayward	"A" Street Signal Upgrade and Coordination	Provide traffic signal retiming and coordination along "A" Street at 10 intersections between Mission Boulevard and Hesperian Boulevard, including upgrading existing controllers and closing the gap between the existing signal interconnect system to allow communications between the Traffic Operations Center (TOC) and the on-street controllers.	\$209,000	\$190,000	\$31,994-\$33,365	\$ 190,000	
Oakland	Adeline St Bikeway Gap Closure	The project will install Class 2 bike lanes on Adeline St, 47th to 61st Sts. The new facility will adjoin existing bikeways at each end. The street will be slurry-sealed prior to bike lane installation.	\$73,000	\$58,000	\$89,231	\$ 51,000	Sponsor has confirmed project would be fully funded from other sources if TFCA funds approved.
Oakland	CityRacks Bicycle Parking Program Phase 10	This project will fund Phase 10 of Oakland's CityRacks Bicycle Parking Program. Over the two year grant period, the project includes installation of approximately 500 bike rack parking spaces and four electronic bicycle lockers to serve the 12th St BART Station.	\$100,000	\$100,000	\$25,759-\$82,701	\$ 88,000	Sponsor has confirmed project would be fully funded from other sources if TFCA funds approved.
Oakland	City of Oakland Broadway Shuttle	The Free Broadway Shuttle (the "B") operates between the Jack London Oakland Antrak Station and Broadway at 27th Street at 11-16 minute frequencies. Starting July 2013, the B's service hours will be Monday-Thursday 7am-10pm; Friday 7am-12am; and Saturday 6pm-12am. TFCA request is for a 1.5 year period, July 2013 - Dec. 2014.	\$1,051,000	\$140,268	\$89,746	\$0	Project is eligible for \$7,000 of County TFCA, but is not recommended for funding. Minimum grant size not met.
Oakland	East Bay Greenway	The first half-mile segment of the East Bay Greenway, from Coliseum BART to 85th Avenue in Oakland. The East Bay Greenway is a planned 12-mile bicycle and pedestrian facility that will travel through Oakland, San Leandro, Hayward and unincorporated Alameda County. The Greenway alignment generally runs under the BART tracks and will ultimately connect five BART stations.	\$3,010,000	\$190,000	\$88,364	\$ 190,000	Final approval received in June.
Pleasanton	Pleasanton Trip Reduction Program	The project consists of a three-pronged approach to reducing trips including employer-based, residential-based and school-based programs. TFCA request revised to two years of program operations (FYs 13/14 and 14/15).	\$228,000	\$118,000	\$85,111	\$ 118,000	Recommended for two years of funding: FYs 13/14 and 14/15.
San Leandro	San Leandro LINKS Shuttle	The free shuttle provides service from the San Leandro BART station to businesses in West San Leandro. Service is provided every 20 minutes, Monday - Friday during peak commute hours from 5:45AM to 9:45AM and 3:00PM to 7:00PM. The TFCA request is for FYs 13/14 and 14/15.	\$633,000	\$104,000	\$88,534	\$ 60,000	Recommended for two years of funding: FYs 13/14 and 14/15.
<b>Subtotal City/County (70%)</b>				\$2,223,268		\$ 1,108,000	
<b>TFCA Balance Available</b>				\$1,082,516		\$1,082,516	
<b>Difference</b>				(\$1,140,732)		\$ (25,484)	

**TFCOA County Program Manager Fund - FY 2013/14 Final Program**

Sponsor	Project Name	Project Description	Total Project Cost	Amount Requested	TFCOA Cost-effectiveness	Recommended Final Program	Notes
<b>30% Transit Discretionary Share</b>							
AC Transit	Bus Electrification Demonstration Project	The conversion of an existing hybrid gasoline bus to a fully electric vehicle to achieve reductions in emissions and operational costs. To achieve additional emissions reductions credit, a conventional diesel fuel bus from the AC Transit revenue fleet will be scrapped.	\$ 484,000	\$387,276	NA	\$0	AC Transit has withdrawn the project due to the funding shortfall.
AC Transit	Route 51 Transit Signal Priority (TSP)	TSP Improvements for Route 51. Route 51A: Rockridge BART to Fruitvale BART . 51B: Rockridge BART to Berkeley Amtrak or Berkeley Marina. TSP improvements along the route including: installation of conduit and hardware for signal interconnectivity; signal retiming; signal cabinet upgrades to facilitate modernization; signal modifications; queue jump lanes; bus bulbs; bus stop optimization including relocations and removals.	\$ 11,515,000	\$1,000,000	\$ 81,345	\$123,821	Newly proposed project.
Alameda CTC	Alameda County Guaranteed Ride Home and Countywide Transportation Demand Management Services	The Program provides a "guaranteed ride home" to registered employees in Alameda County as an incentive to use alternative commute modes. TFCOA request is for continued program operations for FY 13/14 and FY14/15 and includes the creation of new educational materials providing comprehensive information on different TDM services and commute alternatives available in Alameda County.	\$ 270,000	\$ 270,000	\$ 20,170	\$ 270,000	Recommended for two years of funding: FYs 13/14 and 14/15.
CSU East Bay	Second BART to Campus Shuttle	Continue existing operations of a second free campus to BART shuttle. The route operates in a loop between CSU East Bay campus and the Hayward BART station 7am-930pm, 240 days per year. Request is for FY 13/14 operations.	\$ 159,314	\$ 159,314	\$ 89,799	\$ 130,000	TFCOA reduced from draft program. Sponsor has confirmed shortfall will be funded from other sources.
LAVTA	Route 20X Operations	Route 20x operations for FYs 13/14 and 14/15. Route 20x originates at East Dublin/Pleasanton BART Station, serves Vasco Road to East Avenue (including Lawrence Livermore and Sandia National Laboratories), and continues along Mines Road and First Street to the Livermore Transit Center.	\$ 318,000	\$ 100,000	NA	\$0	Does not meet Air District's required cost-effectiveness for TFCOA.
LAVTA	Rte 53 Ace to BART Shuttle	Rte 53 provides local feeder bus service to the Altamont Commuter Express (ACE) Pleasanton Station and the West Dublin/ Pleasanton BART Station, and the Stoneridge mall. FYs 13/14 and 14/15 operations.	\$ 335,834	\$ 120,000	\$ 61,787	\$ 120,000	Newly proposed project. Assumes ACE will receive regional TFCOA for 2014 (\$44K/year).
LAVTA	Rte 54 Ace to BART Shuttle	Rte 54 provides local feeder bus service between the Altamont Commuter Express (ACE) Pleasanton Station, the Dublin/Pleasanton BART Station and major employment centers including Stoneridge Mall, Bernal Business Park and Hacienda Business Park. FYs 13/14 and 14/15 operations.	\$ 337,082	\$ 47,000	\$ 89,422	\$ 47,000	Newly proposed project. Assumes ACE will receive regional TFCOA for 2014 (\$50K/year).
LAVTA	RAPID Operations	Rapid operations for FYs 13/14 and 14/15. The Rapid originates at the West Dublin/Pleasanton BART Station, serves Stoneridge Mall, Downtown Dublin and Hacienda Crossings, Livermore Premium Outlets, Livermore Transit Center, and Lawrence Livermore and Sandia National Laboratories.	\$ 6,578,000	\$ 350,000	NA	\$0	Rtes 53 and 54 submitted in place of RAPID request
<b>Subtotal Transit Discretionary (30%)</b>			\$ 2,433,590	\$ 690,821			
<b>TFCOA Balance Available</b>			\$ 806,305	\$ 806,305			
<b>Difference</b>			\$ (1,627,285)	\$ 115,484			

Amount Available	Recommended Final FY 2013/14 TFCOA Program
\$ 1,082,516.00	Subtotal TFCOA 70% \$ 1,108,000
\$ 806,305.00	Subtotal TFCOA 30% \$ 690,821
\$ 1,888,821.00	Total Recommended \$ 1,798,821
Final approval received June 2013 \$370,000	
Recommended for final approval July 2013 \$ 1,428,821	
Remaining Balance \$ 90,000	





# Memorandum

6.6

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** I-580 Express (HOT) Lane Project (APN 720.4 and 724.1): Amend the Professional Services Contract with Electronic Transaction Consultants (ETC) Corporation for Systems Integrator Services

**RECOMMENDATION:** Authorize Executive Director to take all necessary contractual actions to retain Electronic Transaction Consultants Corporation as the Systems Integrator Consultant for the project.

## Summary

The I-580 Express (HOT) Lane Project ("Project") proposes to convert the newly constructed eastbound High Occupancy Vehicle (HOV) Lane from Hacienda Drive to Greenville Road to a double lane express lane facility and the westbound HOV lane (currently under construction) from Greenville Road to San Ramon Boulevard/Foothill Road to a single express lane facility.

The System Integrator is an integral and a key component of the Project implementation. The System Integrator will include tolling hardware design, software development, factory testing of design, equipment and system installation. The System Integrator is the backbone of effective data collection, communication, tolling and enforcement.

ETC was contracted to provide System Integrator services for the eastbound project component for a "limited access" configuration. Due to the decision to combine the eastbound and westbound components into one construction contract and a revised design strategy from "limited access" to "near-continuous access" configuration, ETC is unable to provide the necessary System Integrator services required for the Project under their current contract scope.

Options include:

1. Re-advertise for a new contract for modified project needs.
2. Retain ETC for the eastbound work and advertise a new contract for the westbound work.
3. Retain ETC and amend the contract for the modified project needs.

## Background

The Project proposes to convert the newly constructed eastbound HOV Lane from Hacienda Drive to Greenville Road to a double lane express lane facility and the westbound HOV lane (currently under construction) from Greenville Road to San Ramon Boulevard/Foothill Road to a single express lane facility.

The express lane facility combines HOV and pricing strategies to allow single occupancy vehicles (SOVs) access to HOV lanes for a fee when time savings is of a value, while maintaining HOV lane and air quality benefits. For the most part, the express lanes will have a "near continuous" access configuration, similar to the HOV lane access, where traffic can move in and out of the express lanes anywhere within the corridor. Where traffic conflicts or heavy weave movements are expected, a buffer separation will be provided between the express and general purpose (GP) lanes to restrict access.

The Project was originally intended to be constructed as two separate contracts (I-580 Eastbound Express (HOT) Lane (APN 720.4) and I-580 Westbound Express (HOT) Lane (APN 724.1). Subsequently, Alameda CTC entered into contract # A09-007 with ETC on March 26, 2010 to design, develop, test, install, maintain and provide operations support for the Eastbound I-580 Express (HOT) Lane for a double express lane with a "limited access" configuration, for an amount not to exceed \$6,319,027. In late 2012, two project decisions were made that significantly impacted the delivery strategy of the Project. The first decision was to implement a "near continuous access" configuration to provide more capacity and better accessibility to the express lanes. The "near-continuous access" configuration, requires significantly more design effort and equipment installation. The second decision was to design and construct the eastbound and westbound facilities under one construction contract. This change would result in project cost savings and avoid potential costly coordination risks during construction.

Table 1, Systems Integrator Estimated Costs, summarizes the cost impacts to the Systems Integrator Services as a result of changing from a "limited access" to a "near-continuous access" configuration and combining the eastbound and westbound components into one construction contract.

**Table 1: Systems Integrator Estimated Costs**

Component	Cost
Original Project scope: Eastbound with "limited access" configuration	\$ 6,319,027
Eastbound with a "near-continuous access" configuration	\$ 3,180,973
Westbound single express lane with a "near continuous access" configuration	\$ 3,000,000
<b>Total</b>	<b>\$ 12,500,000</b>

Staff has considered the following options:

1. Re-advertise for a new contract for modified project needs. In reviewing the impact to the schedule, this option would delay the scheduled March 2014 design delivery of the civil design by approximately six months. It is crucial for the Systems Integrator consultant to be a part of the civil design process to avoid conflicts during construction. This was made evident during the construction of the I-680 Express Lane Project. In the event TIGER V funds are awarded to the Project, impacts to the schedule would jeopardize this funding. In reviewing the impact to cost, sunk costs on the ETC contract is estimated at \$250,000 of the \$1.4 M spent to date on the existing ETC contract.
2. Retain ETC for the eastbound work and advertise a new contract for the westbound work. There would be no impact to the design completion schedule; however, there are numerous design elements that are used in both the eastbound and westbound directions. Some examples of these design elements include the tolling gantries, dynamic messaging signs, and lighting standards. This would result in an increase to the project costs. Also, having two system integrator contractors will require a much higher coordination and oversight effort.
3. Retain ETC and amend the contract for the modified project needs. This would not impact the schedule or project capital costs.

Staff recommends option 3. In order to implement this, it is recommended that the Commission authorize the Executive Director to take all necessary contractual actions to retain ETC as the Systems Integrator Consultant for the Project. This option has also been recommended by the Programs and Projects Committee.

**Fiscal Impact:** The recommended action will authorize the encumbrance of an additional \$6,180,973 in project funding for subsequent expenditure. This amount has been included in the Alameda CTC Adopted FY 2013-2014 Capital Program Budget.

**Staff Contact**

[Stewart Ng](#), Deputy Director of Programming and Projects

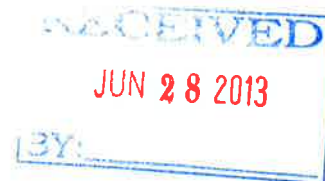
[Gary Sidhu](#), Project Controls Team

# City of San Leandro

Civic Center, 835 E. 14th Street  
San Leandro, California 94577  
[www.sanleandro.org](http://www.sanleandro.org)



June 27, 2013



Alameda CTC  
1333 Broadway, Suites 220 & 300  
Oakland, CA 94612

SUBJECT: PAPCO APPLICATION FOR MARGARET WALKER

To Whom It May Concern:

Enclosed is an application for the Paratransit Advisory and Planning Committee for Margaret Bates Walker. Dr. Walker is San Leandro City Councilmember Michael Gregory's intended appointee to the PAPCO.

Thank you in advance for scheduling Dr. Walker's appointment to the PAPCO on the July Commission agenda.

Sincerely,

Marian Handa  
City Clerk

Phone: (510) 577-3367  
Email: [mhanda@sanleandro.org](mailto:mhanda@sanleandro.org)  
Web: [www.sanleandro.org](http://www.sanleandro.org)

Enclosure: PAPCO application for Margaret Walker

cc: Councilmember Michael Gregory

Stephen H. Cassidy, Mayor

City Council:

Pauline Russo Cutter  
Jim Prola

Michael J. Gregory  
Ursula Reed

Benny Lee  
Diana M. Souza



# Application for the Alameda CTC Paratransit Advisory and Planning Committee (PAPCO)



The Alameda CTC invites Alameda County residents to serve on its **Paratransit Advisory and Planning Committee**, which meets on the fourth Monday of the month, from 1 to 3:30 p.m. Each member is appointed for a two-year term.

Name: Margaret Bates Walker  
Home Address: 559 Kenilworth Ave San Leandro CA 94577-2032  
Mailing Address (if different): \_\_\_\_\_  
Phone: (home) 510-562-5049 (work) 510-704-3803 (fax) \_\_\_\_\_  
Email: margaretbwalker@yahoo.com  
margaretbwalker@sbcglobal.net  
Please respond to the following sections on a separate attachment:

- I. **Commission/Committee Experience:** What is your previous experience on a public agency commission or committee? Please also note if you are currently a member of any commissions or committees.
- II. **Statement of Qualifications:** Provide a brief statement indicating why you are interested in serving on the PAPCO and why you are qualified for this appointment.
- III. **Relevant Work or Volunteer Experience:** Please list your current employer or relevant volunteer experience including organization, address, position and dates.
- IV. **Paratransit Experience:** List any specific interest, involvement or expertise you have related to special transportation or paratransit issues. Please also include the name(s) of any paratransit services you use.

## To avoid a conflict of interest:

Members may need to recuse themselves from discussing and voting on certain funding recommendations to the Alameda CTC board.

**Certification:** I certify that the above information is true and complete to the best of my knowledge.

Signature Margaret Walker Date April 25, 2013

Return the application to your Commission representative for signature (see [www.alamedactc.org/app\\_pages/view/8](http://www.alamedactc.org/app_pages/view/8)) or fax (510.893.6489) or mail it to Alameda CTC.

**Appointing Commissioner:**

Signature: [Signature]  
Date: 5/20/13

1. **Commission/Committee experience.** I and Katie Odin Paulsen Atherton co-originated the Child Protection Team at the University of Utah in 1972 (the first in Utah) and we helped Utah social services develop a state plan for child abuse and its enabling legislation. Soon after coming to California I served under Michael McGlynn on the ACCMA Perinatal Morbidity and Mortality Committee of the ACCMA. I practiced pediatrics and neonatology with Kaiser for 27 years and served on my share of committees, including the Blood Usage Committee.
2. **Statement of Qualifications.** I have the advantage of hearing from my elder peers the pros and cons of how our local Paratransit services operate currently. Yet because I myself do not use Paratransit, at least not so far, knock on wood, I have no vested interest in its activities other than that it serve its clients, our fellow citizens, optimally and in a fiscally sound manner.
3. **Relevant Work of Volunteer experience.** I am retired from practicing pediatrics and neonatology with Kaiser and the Permanente Medical Group, primarily at Kaisers Hayward and Fremont. I studied medical transcription (MT) and since 2003 I have participated in Internet real-time world-wide "word boards" on which stumped MTs post either a snippet of the troublesome voice file itself, or their best stab at transcribing their "sounds like" with a thumbnail sketch of context. Since my retirement until this year I have volunteered at my nearby somewhat "needy" elementary school, Washington. My first year there I assisted Martina Martinez with her Cri-Cri Spanish-language preschool. I volunteered one year in English 4<sup>th</sup> grade and another year in bilingual 4<sup>th</sup> grade. I also volunteered in an English language kindergarten. For several years I and Mary Beth Barloga ran an after-school "Homework Club" there at Washington.
4. **Paratransit Experience.** I have no paratransit experience, but I've had copious experience transporting critical care newborns, mostly "up," but some "down" as well. (An "up" transport is from a lower to a higher level of care; a "down" transport is the reverse, usually returning the recovering infant to his hospital of origin to recuperate or "feed and grow" prior to his discharge home. I accrued most of my fixed-wing aircraft transport experience in Utah. Because we were the only NICU serving roughly 5 states, and 80% of our at-least-500-per-year NICU patients were not in-born at the U of U but transported in from Wyoming, Nevada, Montana, Idaho, or elsewhere in Utah. We often used "ground transport" alone, because we minimized both TAT and expense. (A fixed-wing aircraft transport necessitated an ambulance transfer at both ends, of course. We disliked helicopter transports because the engine and rotor noise made stethoscope use and MD-RN communication difficult.) After both UCSF and Stanford declined to accept our KFHHayward 13-month-old with amiodarone-unresponsive V tach (occasionally pulseless), I, Dr Jewett (cardiologist) and 2 flight RNs transported the patient KFHH to Baylor in Huston, the nearest surgeon willing to accept the child for resection of her Purkinje-fiber coronary tumor. The child's surgery was curative and her cardiac and general development subsequently were normal. I alone transported a teeny premie from Cook County Hosp back to Hayward's NICU. I acted as both transport RN and MD so the baby's mother could return from Chicago to Hayward using the RN's seat.

Margaret Walker

***This page intentionally left blank***





# Memorandum

6.8

1333 Broadway, Suites 220 & 300, Oakland, CA 94612 • PH: (510) 208-7400 • [www.AlamedaCTC.org](http://www.AlamedaCTC.org)

**DATE:** July 16, 2013

**SUBJECT:** California Transportation Commission June 2013 Meeting Summary

**RECOMMENDATION:** Receive an update on the June 2013 CTC Meeting.

## Summary

The June 2013 California Transportation Commission (CTC) meeting was held in Sacramento, CA. Detailed below is a summary of the three agenda items of significance pertaining to Projects/Programs within Alameda County that were considered at the June 2013 CTC meeting.

## Background

The California Transportation Commission is responsible for programming and allocating funds for the construction of highway, passenger rail, and transit improvements throughout California. The CTC consists of eleven voting members and two non-voting ex-officio members. The San Francisco Bay Area has three CTC members residing in its geographic area: Bob Alvarado, Jim Ghielmetti, and Carl Guardino.

Detailed below is a summary of the three agenda items of significance pertaining to Projects / Programs within Alameda County that were considered at the June 2013 CTC meeting (Attachment A).

### 1. 2014 State Transportation Improvement Program (STIP)

CTC reviewed the Draft 2014 STIP Estimate and approved the Draft Guidelines presented by the Department. The final 2014 STIP Fund Estimate and guidelines will be considered at the August 6, 2013 meeting.

## **2. STIP / State Route 24 Caldecott Tunnel 4th Bore Project**

CTC approved amendment of the 2012 STIP to reprogram \$400,000 in Regional Improvement Program (RIP) funds from environmental (PA&ED) to design (PS&E) for the follow-up Landscaping & Environmental Enhancements contract of the State Route 24 Caldecott Tunnel 4th Bore project.

*Outcome:* Amendment will allow project to proceed to design phase.

## **3. Proposition 1B Trade Corridor Improvement Fund (TCIF)/ I-880 Reconstruction, 29th-23rd Avenue project**

The CTC allocated \$73.4 Million TCIF funds for the Construction Phase of the I-880 Reconstruction, 29<sup>th</sup>-23<sup>rd</sup> Avenue project.

*Outcome:* Allocation will allow project to be advertised and proceed to construction phase.

**Fiscal Impact:** There is no fiscal impact.

### **Attachments**

A. June 2013 CTC Meeting Summary for Alameda County Projects / Programs

### **Staff Contact**

[Matt Todd](#), Principal Transportation Engineer

[Vivek Bhat](#), Senior Transportation Engineer

**June 2013 CTC Summary for Alameda County Projects/ Programs**

<b>Sponsor</b>	<b>Program / Project</b>	<b>Item Description</b>	<b>CTC Action / Discussion</b>
Caltrans	2014 State Transportation Improvement Program (STIP)	CTC staff presented the draft 2014 STIP Fund Estimate and guidelines.	Approved
Caltrans	STIP / State Route 24 Caldecott Tunnel 4th Bore Project	Amend the 2012 STIP to reprogram \$400,000 in Regional Improvement Program (RIP) funds from environmental (PA&ED) to design (PS&E) for the Follow-up Landscaping & Environmental Enhancements contract of the State Route 24 Caldecott Tunnel 4th Bore project.	Approved
Alameda CTC	Trade Corridor Improvement Fund (TCIF)/ I-880 Reconstruction, 29th-23rd Avenue project	Allocate \$73.4 M TCIF funds for the Construction Phase of the I-880 Reconstruction, 29th-23rd Avenue project.	Approved

[http://www.dot.ca.gov/hq/transprog/ctcbooks/2013/0613/000\\_Timed.pdf](http://www.dot.ca.gov/hq/transprog/ctcbooks/2013/0613/000_Timed.pdf)

***This page intentionally left blank***

**Alameda County Transportation Commission  
Bicycle and Pedestrian Advisory Committee  
Roster and Attendance Fiscal Year 2013-2014**

	Suffix	Last Name	First Name	City	Appointed By	Term Began	Re- apptmt.	Term Expires	Mtgs Missed Since Jul '13*
1	Ms.	Tabata, Chair	Midori	Oakland	Alameda County Mayors' Conference, D-4	Jul-06	Oct-11	Oct-13	0
2	Ms.	Welsh, Vice-Chair	Ann	Pleasanton	Alameda County Supervisor Nate Miley, District 4	Oct-09	Jan-12	Jan-14	0
3	Mr.	Ansell	Mike	Livermore	Alameda County Mayors' Conference, D-1	Sep-12		Sep-14	0
4	Mr.	Bucci	Mike	Newark	Alameda County Supervisor Richard Valle, District 2	Sep-12		Sep-14	0
5	Mr.	Chen	Alexander	Fremont	Alameda County Supervisor Scott Haggerty, District 1	Oct-09	Jan-12	Jan-14	0
6	Ms.	Gigli	Lucy	Alameda	Alameda County Supervisor Wilma Chan, District 3	Jan-07	Oct-12	Oct-14	0
7	Mr.	Johansen	Jeremy	San Leandro	Alameda County Mayors' Conference, D-3	Sep-10	Oct-11	Oct-13	0
8	Mr.	Jordan	Preston	Albany	Alameda County Supervisor Keith Carson, District 5	Oct-08	Sep-12	Sep-14	0
9	Mr.	Maddox	Heath	Berkeley	Transit Agency (Alameda CTC)	Sep-12		Sep-14	0
10	Mr.	Ben	Schweng	Alameda	Alameda County Mayors' Conference, D-2	Jun-13		Jun-15	0
11	Ms.	Zimmerman	Sara	Berkeley	Alameda County Mayors' Conference, D-5	Feb-12		Feb-14	0

***This page intentionally left blank***



# Citizens Watchdog Committee Meeting Minutes Monday, June 10, 2013, 6:30 p.m.

1333 Broadway, Suites 220 & 300, Oakland, CA 94612 • PH: (510) 208-7400 • www.AlamedaCTC.org

## MEETING ATTENDEES

Attendance Key (A = Absent, P = Present)

### Members:

<u>P</u> James Paxson, Chair	<u>A</u> Arthur Geen	<u>P</u> Jo Ann Lew
<u>P</u> Harriette Saunders, Vice Chair	<u>P</u> Sandra Hamlat	<u>P</u> Deborah Taylor
<u>A</u> Petra Brady	<u>A</u> James Haussener	<u>P</u> Hale Zukas
<u>P</u> Mike Dubinsky	<u>P</u> Steve Jones	
	<u>A</u> Bill Klink	

### Staff:

<u>P</u> Arthur L. Dao, Executive Director	<u>P</u> Patricia Reavey, Director of Finance
<u>P</u> Tess Lengyel, Deputy Director of Policy, Public Affairs and Legislation	<u>P</u> Krystle Pasco, Outreach Coordinator

## MEETING MINUTES

### 1. Welcome and Introductions

James Paxson, CWC Chair, called the meeting to order at 6:30 p.m. The meeting began with introductions and meeting outcomes. James welcomed new member Sandra Hamlat to the committee.

### 2. Public Comment

There were no public comments.

### 3. Approval of March 11, 2013 Minutes

*Mike Dubinsky moved to approve the minutes as written. Deborah Taylor seconded the motion. The motion passed unanimously (8-0).*

### 4. Election of Officers for FY13-14, Approval of CWC Bylaws, and Review of Agenda/Calendar for FY13-14

Election of officers:

*James Paxson was nominated for chair and Harriette Saunders as vice Chair. Deborah Taylor moved to approve the nominations. Jo Ann Lew seconded the motion. The motion passed unanimously (8-0).*

Tess Lengyel led the discussion on the CWC bylaws. She mentioned that the CWC reviews its bylaws annually at the organizational meeting, and the review process is scheduled each year to allow staff and the CWC to update the bylaws to reflect current practices or to improve the way the committee functions. Tess noted that there were no changes to the bylaws this year.

*Mike Dubinsky moved to approve the CWC Bylaws. Steve Jones seconded the motion. The motion passed unanimously (8-0).*

Tess Lengyel gave an overview of the agenda and calendar for FY13-14, going through the activities for each month that the CWC meets, as well as when CWC members will receive updates from Alameda CTC as listed on the FY13-14 calendar in the packet.

Questions and feedback from members:

- Is the July meeting used exclusively for the public hearing or for other business as well? The main focus of the July meeting is the public hearing, and during the regular meeting, the committee finalizes and approves the annual report. At the July meeting, the members also determine the distribution methods for the annual report and approve the draft costs.
- CWC members usually review the Local Business Enterprise report, but it is not on the agenda. Will we still have an opportunity to review that? Yes, staff will follow up on the date that the report goes to the Commission, and will include that on the CWC calendar.
- Other than commenting and asking questions on the compliance reports, is there an opportunity for CWC to review the summary report before it goes to the Commission? Staff agreed to release the draft summary report to the CWC as it goes to the Commission, and will include that on the CWC calendar.

*Harriette Saunders made a motion to approve the FY13-14 calendar. Deborah Taylor seconded the motion. The motion passed unanimously (8-0).*

## **5. Approval of Draft CWC Annual Report**

Tess Lengyel gave an overview of the draft CWC Annual Report. James Paxson noted that the subcommittee will meet on June 19, 2013, regarding the annual report.

Questions and feedback from members:

- How do the pie charts look in black and white, and how will they look in public newspapers? Staff worked on increasing the lines between the areas of the pie chart to better distinguish each area represented on the pie chart.
- With regard to the independent auditors referenced in the annual report, are we referring to the auditor who worked with the various jurisdictions or the auditor who worked with Alameda CTC? Staff noted that the "auditors" should be singular and refers to the auditor that Alameda CTC worked with during this process.
- Regarding grants on page 5, can we make a note that grants are paid out on a reimbursement basis? Staff suggested that the sentence read, "...and through competitive grants, paid out on a reimbursement basis to Alameda County..."
- What is the purpose of showing grant reimbursements at \$0 on page 5? Staff explained no grants are reimbursed for local streets and roads projects and that the information as shown in the report is included for transparency.
- On page 7, is there room to add a column on planning area designation? Staff agreed to add a column for planning area on the projects summary chart. Staff also noted that when the annual report is published online, individuals can click on links to more specific information on that particular project.
- Please be cognizant of the acronyms used in this report, especially on page 4.
- Please include a link to the program compliance reports on the web in the CWC annual report.



James Paxson noted the subcommittee will work on incorporating these comments in the next draft.

*Mike Dubinsky moved to approve the draft Annual Report as amended through discussion. Deborah Taylor seconded the motion. The motion passed unanimously (8-0).*

**6. Establishment of CWC Audit Subcommittee, Confirmation of Meeting Availability with Auditor Between June 10 and June 21, and Discussion of Areas of Interest**

The following members volunteered to serve on the CWC Audit Subcommittee:

- Mike Dubinsky
- James Haussener
- James Paxson
- Harriette Saunders
- Hale Zukas

The meeting will take place on Tuesday, June 18, 2013 at 4 p.m. at the Alameda CTC offices. (Note: The actual meeting date took place on Friday, June 21, 2013 as documented in item 7.1.) If any member would like to request specific information, express concerns or make any other special requests, please forward inquiries to James, Trish and Angie.

**7. Projects and Programs Watchlist (sign up for projects and programs)**

James reminded members to fill out the watch list and to submit the list to staff as soon as possible. Members will receive notice on any public meetings that are relevant to their chosen projects and programs.

**8. Staff Responses to CWC Requests for Information**

None

**9. CWC Member Reports/Issues Identification**

None

**10. Alameda CTC Activity Reports**

**A. Final Strategic Plan Review**

Raj Murthy, Project Manager of the Project Controls Team, reviewed the Final Strategic Plan. He noted the purpose of the strategic plan is to confirm total Measure B commitments for each capital project included in the 1986 and 2000 Measure B capital programs, to establish the initial FY13-14 programmed balance for each capital project, and to provide the basis for the program-wide financial models for the 1986 and 2000 capital programs. He noted that the total 2000 Measure B commitment to capital projects was \$756.5 million, and the total amount allocated for capital projects through FY12-13 was \$709 million. He reviewed the debt financing considerations and requirements and noted outside debt financing options such as issuing bonds or commercial paper.

Questions and Feedback from members:

- What is the FY13-14 allocation plan? Staff said the FY13-14 allocation plan allocates the funding for the entire year, which includes the scope, cost, schedule, and cash-flow demand for each project. Currently, only \$47 million is left for the next 10 years of the capital program.
- How are we allocating more than we are bringing in? Are any assumptions being made? On slide 6, this is the amount that we cannot surpass. The Alameda CTC has the money to commit to projects promised to the voters. We can fully commit to what we promised the voters in 2000.
- Who comprises the financing team on slide 14? The financing team includes the finance director, a financial advisor, and bond council that will determine if we will bring on underwriters. Stewart Ng, Deputy Director of Programming and Projects and Raj will also be a part of the team to determine what we will need to borrow.
- How will the CWC be updated on this process? The updates will go to the Commission Finance and Administration Committee (FAC). Staff will hold a public hearing on this process and will update the CWC.
- When will the East-West connector be complete? Once the funding shortfall is bridged, it will be complete.
- What is the benefit of using bond funds for projects? Staff replied that we have been paying on a pay-as-you-go method to date. Funds can be borrowed from the Alameda County Transportation Authority (ACTA), but ACTA also needs that funding to complete its projects. Bonds are needed to complete the projects as promised to voters and will be repaid within the timeframe that the 2000 Measure exists.
- With regard to the 2000 Measure B allocations, were any of these made under duress by the sponsoring agency? No, staff works very closely with the sponsor agency to make funding decisions. We also receive regular updates on the project to ensure the funding is being spent wisely.
- Will the bond be tied to a specific project or will it be open? When we bond, we bond programmatically. Staff is looking into bonding to meet the commitment for several projects like BART to Warm Springs Extension, BART Oakland Airport Connector, Route 84, and other projects, as identified through our strategic planning process.

**B. Revised Sales Tax Revenues Projection for Fiscal Year 2012-2013**

Patricia Reavey presented to the FAC and to the Commission in May the revised sales tax revenue projection for FY12-13. She noted that the proposed increase is 7.14 percent higher than the currently adopted budget. She also noted the proposed revision to the Alameda CTC's FY12-13 sales tax revenue projection would provide additional resources of \$7 million and would be allocated as stipulated by the transportation expenditure plan.

Questions and feedback from members:

- What will happen to the \$7 million surplus? From this funding, programs will automatically receive approximately 60 percent of the funding, and the projects will receive approximately 40 percent.

### **C. Proposed Budget for FY13-14**

Patricia Reavey gave an update on the proposed budget for FY13-14. She noted that Alameda CTC's FY13-14 proposed consolidated budget demonstrates a sustainable, balanced budget that utilizes projected revenues and the fund balance to fund total expenditures. Staff prepared the proposed budget based on the modified accrual basis of accounting, which is consistent with the basis utilized to prepare Alameda CTC's audited financial statements. She noted that the approval for the draft proposed capital budgets is requested for the amounts found in the proposed FY13-14 capital budget that includes an estimated roll-over column on the capital budget sheet. The proposed budget also incorporates the effort required to address One Bay Area Grant (OBAG) Program requirements over the next fiscal year and includes revenues and expenditures necessary to provide vital programs and planning projects for Alameda County. The proposed budget assumes an inter-fund loan of \$36.6 million from the ACTA Capital Fund to the Alameda County Transportation Improvement Authority (ACTIA) Capital Fund, which will delay the need for external financing to the second quarter of FY14-15, based on the most recent cash flow projections.

Lastly, the FY13-14 proposed consolidated budget will provide resources of \$122.1 million to the ACTIA Capital Fund and authorize expenditures of \$125.8 million with an overall decrease in fund balance of \$3.6 million for a projected ending fund balance of \$81.3 million.

### **D. Quarterly Investment Report: FY12-13 Third Quarter Report**

Patricia Reavey gave an overview of the third quarter, quarterly investment report for FY12-13. She noted that Alameda CTC investments are in compliance with the adopted investment policies, and Alameda CTC has sufficient cash flow to meet expenditure requirements over the next six months. She also noted that as of March 31, 2013, total cash and investments held by Alameda CTC were \$227.9 million, which is a total decrease of \$54.4 million, or 19.3 percent from the prior year-end balance. Lastly, as of March 31, 2013, the Alameda CTC portfolio managed by investment advisors consisted of approximately:

- 21.4 percent US Treasury Securities
- 47.6 percent Federal Agency Securities
- 2.1% Corporate Notes
- 17.8% Commercial Paper
- 5.3% Negotiable CDs
- 5.8% Money Market Funds

The Alameda CTC portfolio is in compliance with both the adopted investment policy and the California Government Code. Staff will bring future investment reports to the FAC and share the information with CWC members. If the FAC approves the item, it recommends the item to the Commission.

Questions and feedback from members:

- The memo included in our agenda packets is information after the fact. The correspondence information also needs to be corrected, and the recommendation updated. Staff said the Commission cannot change

investments after the fact. The information in the memo is a report of the actions taken by the FAC.

## **11. Staff Reports/Board Actions**

### **A. One Bay Area Grant Program Update**

Staff reported that the Commissioners had some questions regarding the OBAG Program recommendation but did eventually approve the draft. Alameda CTC anticipates approval of the final program by the Commission later this month. Staff reported that all jurisdictions received funding through the OBAG program. Funding for projects in Priority Development Areas primarily went to the cities of Berkeley, Fremont, Oakland and Union City. In addition, Alameda CTC is funding a technical assistance program that will support developmental efforts for PDAs throughout Alameda County. The call for projects for this program will be release this summer.

### **B. General Items**

Staff made an announcement about the upcoming Annual Mobility Workshop hosted by Alameda CTC and its Paratransit Advisory and Planning Committee. The workshop will take place on Monday, July 1, 2013 from 9:30 a.m. to 3:30 p.m. at the Ed Roberts Campus in Berkeley.

## **12. Adjournment**

The meeting adjourned at 8:30 p.m. The next meeting is scheduled for July 8, 2013 at the Alameda CTC offices.

**Alameda County Transportation Commission**  
**Citizens Watchdog Committee**  
**Roster - Fiscal Year 2013-2013**

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '13*
1	Mr.	Paxson, Chair	James	Pleasanton	East Bay Economic Development Alliance	Apr-01		N/A	0
2	Ms.	Saunders, Vice-Chair	Harriette	Alameda	Paratransit Advisory and Planning Committee	Jul-09		N/A	1
3	Mr.	Dubinsky	Peter "Mike"	Fremont	Alameda County Supervisor Richard Valle, D-2	Oct-10	Mar-13	Mar-15	0
4	Mr.	Geen	Arthur B.	Oakland	Alameda County Taxpayers Association	Jan-01		N/A	1
5	Ms.	Hamlat	Sandra	Oakland	East Bay Bicycle Coalition	Apr-13		N/A	0
6	Mr.	Hausseuer	James	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-10	Sep-12	Sep-14	1
7	Mr.	Jones	Steven	Dublin	Alameda County Mayors' Conference, D-1	Dec-12		Dec-14	0
8	Mr.	Klinke	William	Berkeley	Alameda Labor Council AFL-CIO	Feb-13		N/A	0
9	Ms.	Lew	Jo Ann	Union City	Alameda County Mayors' Conference, D-2	Oct-07	Oct-11	Oct-13	0
10	Ms.	Taylor	Deborah	Oakland	Alameda County Supervisor Wilma Chan, D-3	Jan-13		Jan-15	0
11	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Apr-12	Apr-14	0
12		Vacancy			Alameda County Mayors' Conference, D-3				
13		Vacancy			Alameda County Mayors' Conference, D-4				
14		Vacancy			Alameda County Mayors' Conference, D-5				
15		Vacancy			Alameda County Supervisor Scott Haggerty, D-1				
16		Vacancy			League of Women Voters				
17		Vacancy			Sierra Club				

***This page intentionally left blank***



## Paratransit Advisory and Planning Committee Meeting Minutes

### Monday, May 20, 2013, 1 p.m., 1333 Broadway, Suite 300, Oakland

Attendance Key (A = Absent, P = Present)

#### Members:

<u>P</u> Sylvia Stadmire, Chair	<u>P</u> Sandra Johnson- Simon	<u>P</u> Carmen Rivera- Hendrickson
<u>P</u> Will Scott, Vice-Chair	<u>P</u> Gaye Lenahan	<u>P</u> Michelle Rousey
<u>A</u> Aydan Aysoy	<u>P</u> Jane Lewis	<u>P</u> Harriette Saunders
<u>P</u> Larry Bunn	<u>P</u> Jonah Markowitz	<u>P</u> Esther Waltz
<u>P</u> Shawn Costello	<u>P</u> Rev. Carolyn Orr	<u>P</u> Hale Zukas
<u>A</u> Herb Hastings	<u>P</u> Suzanne Ort	
<u>P</u> Joyce Jacobson	<u>P</u> Sharon Powers	
	<u>P</u> Vanessa Proee	

#### Staff:

<u>P</u> Matt Todd, Principal Transportation Engineer	<u>P</u> John Nguyen, Hatch Mott MacDonald
<u>P</u> John Hemiup, Senior Transportation Engineer	<u>P</u> Krystle Pasco, Paratransit Coordination Team
<u>P</u> Naomi Armenta, Paratransit Coordinator	<u>P</u> Margaret Strubel, Acumen Building Enterprise, Inc.
<u>P</u> Cathleen Sullivan, Nelson/Nygaard	

#### 1. Welcome and Introductions

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

**Guests Present:** Margaret Walker, Paratransit consumer

#### 2. Public Comments

There were no public comments.

### **3. Approval of April 22, 2013 Meeting Minutes**

*Jonah Markowitz moved to approve the April 22, 2013 PAPCO meeting minutes. Sandra Johnson-Simon seconded the motion. The motion carried (16-0-1).*

### **4. Review and Approval of PAPCO Bylaws**

Naomi Armenta gave an overview of the PAPCO Bylaws including the background, review process, and the responsibilities of the committee. She reviewed the PAPCO Bylaws stipulations and noted staff proposed language changes to Article 1, Section 21 and Article 7, Section 4.

Questions and feedback from PAPCO members:

- When do PAPCO member terms officially end? Naomi stated membership terms end when the Commission appoints that member's successor. Members are allowed to serve until the new appointment is processed and finalized. Membership status information is available on the meeting sign-in sheet or by contacting staff.
- Members will continue to receive the Calling Post, meeting reminder call, one week prior to the PAPCO meetings.

Requested amendments to the PAPCO Bylaws:

- Language regarding "programmatic funding" will be redefined in Article 1, Section 21.
- Language regarding the new paperless meeting policy will be included in Article 7, Section 4. Staff will follow up with the other Alameda CTC public advisory committees.

*Jonah Markowitz moved to approve the PAPCO Bylaws with the requested amendments. Sandra Johnson-Simon seconded the motion. The motion carried unanimously (16-0).*

### **5. Coordinated Funding/One Bay Area Grant Program Update**

Matt Todd provided an update to the FY 12-13 Coordinated Funding Program. He noted that the funding program includes multiple fund sources allocated by the Alameda CTC under a unified programming and evaluation schedule. The program contained \$70.6 million in available funding for transportation



projects. This funding is comprised of \$53.9 million from One Bay Area Grant federal funds (STP and CMAQ), \$5.2 million from local Measure B funds, and \$11.5 million from local Vehicle Registration Fee funds. He also noted eligibility for Federal funds required projects to be located in or accessible to one of the 17 Priority Development Areas (PDAs) designated as “active PDAs” approved by the Alameda CTC in December 2012.

Matt reported there were 69 applications requesting a total of \$121.1 million. He noted that project applications were screened for eligibility, in which the criteria was adopted by the Commission, and the overall goal is to fund projects which will best serve Alameda County. Alameda CTC’s staff review panel completed reviewing and scoring applications.

The draft FY 12-13 Coordinated Funding Program will be presented to the committees and Commission at the May 2013 meetings and the final program for consideration will be presented at the June 2013 meetings.

Questions and feedback from PAPCO members:

- How will the studies be conducted and how will respondents be chosen? Staff received six requests for feasibility studies through the application process and those applications were reviewed by the review panel. Staff selected the highest ranked feasibility study of the applications received and will be allocating funding towards that request accordingly. Staff noted that this study may be used for a potential capital project in the future.
- Will there be charging stations for different types of wheelchairs installed through these projects? Staff stated there were no applications submitted that requested these elements in their project.
- Should all infrastructure projects consider charging stations moving forward? Staff stated requiring charging stations in all projects may limit the ability to construct primary infrastructure components such as roadways, paths, sidewalks and other facilities, given the limited funding available.
- A member stated as a consumer, I would rather use large amounts of funding for paving more sidewalks than installing charging stations in possibly inappropriate areas.

- How often does this Coordinated Funding Program process occur? Matt stated this process includes multiple fund sources with varying funding cycles. However, staff expects the next round of funding to be available in two years.
- Why did AC Transit get so little? Matt stated their project applications were not very competitive after being scored by the review panel.

## **6. Annual Mobility Workshop Update**

Cathleen Sullivan gave an update on the Annual Mobility Workshop that will take place on Monday, July 1, 2013. Staff noted Outreach in Santa Clara County was unavailable to participate on the mobility management panel. However, staff is inviting a representative from the Regional Mobility Management Working Group to speak on the mobility management efforts of the region and a representative from the Metropolitan Transportation Commission. The agenda will also include a presentation on universal design from the architect of the Ed Roberts Campus and an accessible parking policy presentation. Staff will send out invitation flyers soon.

## **7. Member Reports on PAPCO Mission, Roles, and Responsibilities Implementation**

Carmen Rivera-Hendrickson attended the Pleasanton Senior Center Transit Fair on May 1<sup>st</sup>. She was also in Sacramento advocating for transportation funding on April 25<sup>th</sup>.

Vanessa Proee will be at the Community Resources for Independent Living (CRIL) action day on May 22<sup>nd</sup>. She will also be attending another action day in Sacramento on May 27<sup>th</sup>.

Sylvia Stadmire will be attending the Downtown Oakland Senior Center Senior Town Hall on May 23<sup>rd</sup> at 10:00 a.m. This event will also be a celebration for Older American's Month. She also attended several outreach events with Krystle such as the Albany Senior Center Senior Resource Fair. Sylvia also attended the retirement event for the Executive Director of the Center for Elders' Independence (CEI).

Harriette Saunders shared information regarding the June 4<sup>th</sup> movement in Los Angeles to advocate for more funding in Sacramento.

Will Scott attended the North Berkeley Senior Center Health Fair with Krystle, Sylvia, Jonah, and Esther.

Joyce Jacobson noted that she was able to help recruit a volunteer driver for the Senior Helpline Services' Volunteer Drivers Program.

Jane Lewis attended the Pleasanton Senior Center Transit Fair on May 1<sup>st</sup>. She also attended the 7<sup>th</sup> Annual Senior Health and Wellness Resource Fair at the Castro Valley Senior Center.

Esther Waltz attended the North Berkeley Senior Center Health Fair and was planning to attend the Asian American Heritage Festival but did not end up attending.

## **8. Committee Reports**

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

Rev. Carolyn Orr, Sharon Powers and Naomi Armenta reported on the last SRAC meeting. At the SRAC meeting, Mark Weinstein gave an update on East Bay Paratransit's on-time performance and other information related to their performance measures. Naomi clarified that the dispatching is going to be housed under one roof and Mark mentioned that East Bay Paratransit staff is currently working on the wrinkles of this new transition. Richard Weiner from Nelson\Nygaard was also at the SRAC meeting to discuss the new inventory project that they will be leading for AC Transit. Stand by policies were also discussed at the meeting.

### **B. Citizens Watchdog Committee (CWC)**

Harriette Saunders reported that the next meeting is in June. The CWC has been convening subcommittees in preparation for the auditors and planning for the next fiscal year.

## **9. Mandated Program and Policy Reports**

PAPCO members were asked to review these items in their packets.

## **10. Information Items**

### **A. Mobility Management**

Naomi reviewed the draft Coordinated Public Transit – Human Services Transportation Plan Update. She noted the draft plan is now finalized and it discusses the region’s mobility management programs and projects and how we will be coordinating our efforts.

She also gave an update on the Alameda CTC’s mobility management project and noted that there will be a countywide travel training working group meeting coming up. Staff is inviting Gap grant recipients and local agencies to the travel training working group meetings to facilitate information sharing on travel training.

#### B. Outreach Update

Krystle Pasco gave an update on the following upcoming outreach events:

- 5/1/13 – Transit Fair, Pleasanton Senior Center from 10 a.m. to 1 p.m.
- 5/2/13 – 7<sup>th</sup> Annual Senior Health and Wellness Resource Fair, Kenneth C. Aitken Senior and Community Center from 9 a.m. to 1 p.m.
- 5/4/13 – Cinco de Mayo Celebration, Ashland Community Center from 10 a.m. to 1 p.m.
- 5/19/13 – Asian American Heritage Festival/Older American Month Celebration, Hayward City Hall Plaza from 10 a.m. to 5 p.m.
- 6/7/13 – Four Seasons of Health Expo, Fremont Multi-Service Senior Center and Central Park from 9:30 a.m. to 1:30 p.m.
- 6/20/13 – Senior Day at the Alameda County Fair, Alameda County Fairgrounds from 12:00 p.m. to 5:00 p.m.
- 6/27/13 – Senior Day at the Alameda County Fair, Alameda County Fairgrounds from 12:00 p.m. to 5:00 p.m.
- 7/1/13 - Annual Mobility Workshop, Ed Roberts Campus from 9:30 a.m. to 4:00 p.m.
- 7/18/13 - Healthy Living Festival, Oakland Zoo from 8:00 a.m. to 2:00 p.m.

#### C. Other Staff Updates

Staff gave an update on PAPCO’s funding recommendation for 12 Gap Cycle 5 grants. Staff noted the grants were accepted by the committees and will be going to the Commission in June.

**11.Draft Agenda Items for June 24, 2013 PAPCO Meeting**

- A. Elect Officers for FY 13/14 (Chair, Vice Chair, SRAC, CWC)
- B. 2013 Annual Mobility Workshop Update

**12.Adjournment**

The meeting adjourned at 3:25 p.m.

***This page intentionally left blank***

**Alameda County Transportation Commission  
Paratransit Advisory and Planning Committee  
Roster - Fiscal Year 2013-2014**

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July-13
1	Ms. Stadtmire, Chair	Sylvia J.	Will	Oakland	Alameda County Supervisor Wilma Chan, D-3	Sep-07	Jan-13	Jan-15	0
2	Mr. Scott, Vice Chair	Will	Aydan	Oakland	Alameda County Supervisor Keith Carson, D-5	Mar-10	Apr-12	Apr-14	0
3	Ms. Aysoy	Aydan	Larry	Berkeley	City of Berkeley Councilmember Laurie Capitelli	Jul-09	Jan-12	Jan-14	0
4	Mr. Bunn	Bunn	Shawn	Union City	Union City Transit Wilson Lee, Transit Manager	Jun-06	Jan-12	Jan-14	0
5	Mr. Costello	Costello	Herb	Dublin	City of Dublin Mayor Tim Sabranti	Sep-08	Apr-12	Apr-14	0
6	Mr. Hastings	Hastings	Joyce	Dublin	Alameda County Supervisor Scott Haggerty, D-1	Mar-07	Jan-12	Jan-14	0
7	Ms. Jacobson	Jacobson	Sandra	Emeryville	City of Emeryville Councilmember Ruth Atkin	Mar-07	Jan-12	Jan-14	0
8	Ms. Johnson-Simon	Johnson-Simon	Gaye	San Leandro	BART Director Tom Blalock	Sep-10	Jan-12	Jan-14	0
9	Ms. Lenahan	Lenahan	Jane	Piedmont	City of Piedmont Mayor John Chiang	May-11	Jan-12	Jan-14	0
10	Ms. Lewis	Lewis	Jonah	Dublin	City of Livermore Mayor John Marchand	Sep-09	Jan-12	Jan-14	0
11	Mr. Markowitz	Markowitz	Carolyn M.	Berkeley	City of Albany Mayor Peggy Thomsen	Dec-04	Oct-12	Oct-14	0
12	Rev. Orr	Orr	Suzanne	Oakland	City of Oakland Councilmember Rebecca Kaplan	Oct-05	Jan-12	Jan-14	0
13	Ms. Ortt	Ortt	Sharon	Union City	City of Union City Mayor Carol Dutra-Vernaci	Sep-12		Sep-14	0
14	Ms. Powers	Powers		Fremont	City of Fremont Councilmember Suzanne Chan	Dec-07	Jan-12	Jan-14	0

**Alameda County Transportation Commission  
Paratransit Advisory and Planning Committee  
Roster - Fiscal Year 2013-2014**

	<b>Title</b>	<b>Last</b>	<b>First</b>	<b>City</b>	<b>Appointed By</b>	<b>Term Began</b>	<b>Re-apptmt.</b>	<b>Term Expires</b>	<b>Mtgs Missed Since July-13</b>
15	Ms.	Proee	Vanessa	Hayward	City of Hayward Councilmember Marvin Peixoto	Mar-10	Jan-12	Jan-14	0
16	Ms.	Richards-Reiss	Dianne	Newark	City of Newark Councilmember Luis Freitas	Jun-13		Jun-15	0
17	Ms.	Rivera-Hendrickson	Carmen	Pleasanton	City of Pleasanton Mayor Jerry Thorne	Sep-09	Jan-12	Jan-14	0
18	Ms.	Rousey	Michelle	Oakland	Alameda County Supervisor Richard Valle, D-2	May-10		May-12	0
19	Ms.	Saunders	Harriette	Alameda	City of Alameda Vice Mayor Marilyn Ezzy Ashcraft	Jun-08	Oct-12	Oct-14	0
20	Ms.	Waltz	Esther Ann	Livermore	LAVTA Executive Director Paul Matsuoka	Feb-11	Jan-12	Jan-14	0
21	Mr.	Zukas	Hale	Berkeley	A. C. Transit Director Greg Harper	Aug-02	Jan-12	Jan-14	0
22		Vacancy			Alameda County Supervisor Nate Miley, D-4				
23		Vacancy			City of San Leandro Vice Mayor Michael Gregory				





# Memorandum

8.1

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** Legislative Update

**RECOMMENDATION:** Receive an update on state and federal legislative activities.

## Summary

This memo provides an update on federal, state and local legislative activities including an update on the federal budget, federal transportation issues, legislative activities and policies at the state level, as well as an update on local legislative activities.

Alameda CTC's legislative program was approved in December 2013 establishing legislative priorities for 2013 and is included in summary format in Attachment A. The 2013 Legislative Program is divided into five sections: Transportation Funding, Project Delivery, Multi-Modal Transportation and Land Use, Climate Change, and Partnerships. The program was designed to be broad and flexible to allow Alameda CTC the opportunity to pursue legislative and administrative opportunities that may arise during the year, and to respond to political processes in Sacramento and Washington, DC. Each month, staff brings updates to the Commission on legislative issues germane to the adopted legislative program, including recommended positions on bills as well as legislative updates.

## Background

### *Federal Update*

The following updates provide information on activities and issues at the federal level and include information contributed from Alameda CTC's lobbyist team (CJ Lake/Len Simon).

*Federal budget update:* Even though the House and Senate are moving forward with mark ups on FY14 bills, it appear that Congress may have to pass some type of Continuing Resolution (CR) to keep the government funded past September 30 into the new fiscal year. At this time, the House and Senate are more than \$90 billion apart on the overall appropriations numbers for discretionary spending. In addition to this discrepancy, the Senate leadership has said that the full Senate will not take up any appropriations bills until after Labor Day. Due to the spending disagreements and delay on the Senate side,

the possibility of a CR to fund the government for the first few weeks of the new fiscal year that will begin on October 1 appears likely.

*House Transportation Housing and Urban Development (THUD) Appropriations:* The House THUD bill provides \$44.1 billion in discretionary spending for both Transportation and Housing and Urban Development – a reduction of \$7.7 billion below the FY13 enacted level and \$13.9 billion below the President's budget request. This level is approximately \$4.4 billion below the level caused by automatic sequestration cuts for these programs.

- *Transportation:* The bill includes \$15.3 billion in discretionary appropriations for the Department of Transportation for fiscal year 2014. This is \$2.6 billion (-15%) below the fiscal year 2013 enacted level and \$7.4 billion below the President's request. Each year, approximately 90 percent of the USDOT discretionary budget comes from just seven accounts – TIGER grants, Federal Aviation Administration (FAA) Operations, FAA Facilities and Equipment, Amtrak Operations, Amtrak Capital and Debt Service, Federal Transit Administration (FTA) Capital Investment Grants (New Starts), and Federal Rail Administration (FRA) High Speed Rail. These accounts take the brunt of the cuts due to the sequester. Both TIGER and High Speed Rail would be not be funding in the House bill.
  - Highways: The bill provides nearly \$41 billion from the Highway Trust Fund to be spent on the Federal Highway program – the same level authorized in the MAP-21 transportation authorization legislation, which expires on September 30, 2014. This is an increase of \$557 million from the fiscal year 2013 level.
  - Transit: The Formula and Bus Grants account (100 percent of HTF contract authority) would receive the full MAP-21 amount of \$8.595 billion. Outside of this account, FTA is funded by the general fund and is subject to both sequestration and the post-sequestration lowered discretionary caps in the House. The bill contains a total of nearly \$2 billion for FTA, which is \$329.7 million below the fiscal year 2013 enacted level. This includes \$1.8 billion for New Starts which would fully fund all of the projects that have signed full funding grant agreements (FFGAs) for FY14, but gives a one-year delay to the new FFGAs.

The House Committee report addresses future funding concerns for surface transportation programs and states the following, "...for fiscal year 2015, the Committee directs the Department to include with budget materials, a comprehensive legislative proposal for reauthorization of the surface transportation and safety programs. Such proposal must include a credible funding source proposal (not a General Fund transfer)..."

- *Housing and Urban Development (HUD):* The legislation includes a total of \$28.5 billion for the Department of Housing and Urban Development, a decrease of \$5 billion below the FY13 enacted level and \$3 billion below the level caused by

sequestration. The bill does not contain funding for any new, unauthorized "sustainable," "livable," or "green" community development programs (Integrated Investment Planning Grants as included in the President's Budget request).

*Senate THUD Appropriations:* The full Senate Appropriations Committee adopted its FY14 spending allocations, which is approximately \$90 billion more than what the House bill spending levels for FY14. The Senate Appropriations Committee adopted a \$1.058 trillion funding level. The Senate allocations provide every subcommittee more funding than the House Appropriations Committee. For the Transportation-HUD subcommittee, the Senate number is \$54.045 billion, which is almost \$10 billion more than the \$44.1 billion that the House THUD subcommittee used in drafting its bill.

- The Senate THUD Subcommittee bill includes funding highway and transit at similar levels to the House bill and consistent with MAP-21. The bill also provides funding for TIGER grants as well as rail and high speed rail, which the house bill eliminates. The Senate bill funds mass transit new starts at \$1.943 billion, ahead of the House's \$1.817 billion, and also includes funding for HUD Integrated Planning and Investment Grants to promote integrated housing and transportation planning, formerly known sustainable communities programs.

## **Policy**

*DOT Secretary:* Charlotte, North Carolina Mayor Anthony Foxx' was confirmed by the Senate on June 27<sup>th</sup> by a vote of 100-0 as the new Secretary of the Department of Transportation.

*Freight Advisory Panel:* In February DOT announced the establishment of the National Freight Advisory Committee. The Committee is tasked with providing recommendations to the Secretary aimed at improving the national freight transportation system. The Committee held its first meeting on June 25. Under the law, DOT is required to develop a National Freight Strategic Plan by September 2015 and update it every five years. The plan will address the following issues:

- Assess the condition and performance of the national freight network;
- Identify highway bottlenecks that cause significant freight congestion;
- Forecast freight volumes;
- Identify major trade gateways and national freight corridors;
- Assess barriers to improved freight transportation performance;
- Identify routes providing access to energy areas;
- Identify best practices for improving the performance of the national freight network and mitigating the impacts of freight movement on communities; and
- Provide a process for addressing multistate projects and strategies to improve freight intermodal connectivity

The Committee is chaired by Secretary Ann Schneider (Illinois DOT) and Mort Downey of the Coalition for America's Gateways and Trade Corridors is vice chair. Members from California include the following:

- Kristin Decas, *CEO & Port Director, Port of Hueneme, California*
- Genevieve Giuliano, *Professor, Director, & Senior Associate Dean, University of Southern California Sol Price School of*
- Fran Inman, *Senior Vice President, Majestic Realty Co. and Member, California Transportation Commission Public Policy*
- Randell Iwasaki, *Executive Director, Contra Costa Transportation Authority*
- Bonnie Lowenthal, *State Assembly Member, State of California*

### **Legislation**

*Transit Parity:* Representatives Grimm (R-NY), McGovern (D-MA), King (R-NY), and Blumenauer (D-OR) introduced H.R. 2288. The legislation would cap the parking and transit pre tax benefit at \$220. Under existing federal law, employers can offer their employees an option of up to \$245/month in pre-tax parking or transit benefits. In January 2014, the parking benefit will remain at \$245 a year, while the transit benefit will drop to \$125. The House bill would not require an offset because it would reduce both the parking and transit benefit to \$220 from the current \$245.

Senator Schumer (D-NY) introduced a similar bill (S.1116) on June 7. However, Senator Schumer's bill is slightly different than the House bill in that it would cap parking and transit pre tax benefits at the current level of \$245. Senator Schumer has not said how he would pay for the bill.

It is not anticipated that either bill will advance on their own, however, these are laying the groundwork for when tax extenders legislation is addressed with, likely at the end of 2013.

*Complete Streets:* Representatives Doris Matsui (D-CA) and David Joyce (R-OH), introduced H.R. 2468 on June 20. The legislation would require each state to implement a Complete Streets policy within two years that ensures all new federally-funded transportation projects accommodate the safety and convenience of all users, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities. Caltrans has already incorporated complete streets into its work.

### **State Update**

The following update provides information on activities and issues at the state level and includes information contributed from Alameda CTC's state lobbyist, Platinum Advisors.

## **Budget**

On June 27, 2013, Governor Brown signed California's budget for FY 13-14. During the budget debates and up to the signing of the budget bills, there were several debates regarding the revenue assumptions used for the budget. The Legislative Analyst's Office (LAO) and the Administration had differing budget assumptions; however, the adopted budget uses the Governor's numbers. Any revenues above projections will be included in the development of the FY 14-15 budget that will be developed this fall.

*Cap & Trade:* The budget includes the Governor's proposal to loan \$500 million in Cap & Trade Funds to the General Fund. The May Revise did not contain any funds for greenhouse gas reduction programs. The Governor proposed loaning \$500 million in anticipated funds from the Greenhouse Gas Reduction Fund to the general fund. This amount reflects the amount of cap and trade auction proceeds for 2012-13 and 2013-14. The loan is intended to be short term, will be repaid with interest, and the main purpose of the loan is to pump up the state's reserve.

*Active Transportation Account:* The budget does not include the Governor's proposal to create the Active Transportation Account. The Governor's January budget proposed to consolidate into the Active Transportation Account the funds from the Bicycle Transportation Account, Safe Routes to School, the Environmental Enhancement & Mitigation Account (EEMP), as well as federal Transportation Alternative Program funds and federal Recreational Trails Program funds.

While this proposal was rejected by both the Senate and Assembly, the budget will include budget bill language directing the Transportation Agency to continue working on the development of the proposal.

For transportation, there were not major changes to funding levels with the exception of a \$36 million reduction to Capital Outlay Support staff, which equates to 184 positions. This reduction is in result to an anticipated decrease in workload due to the expiration of temporary ARRA funds and the declining amount of Prop 1B funds. In addition, there is an augmentation in funding for Amtrak service to comply with federal requirements that all short distance Amtrak service to be 100% state supported.

## **Policy**

*AB 32 Scoping Plan:* On June 13<sup>th</sup>, the Air Resources Board held its "kick-off" workshop on updating the AB 32 Scoping Plan. The existing AB 32 Scoping Plan was adopted in 2008 and focused on 2020 reduction goals. The Updated Plan will set the path to achieve 2050 reduction goals. The schedule includes workshops on June 26<sup>th</sup> in Diamond Bar, July 18<sup>th</sup> in Fresno, and July 30<sup>th</sup> in the Bay Area. The location and agenda for the Bay Area workshop has not been posted yet.

The AB 32 Scoping Plan update provides an opportunity to review and revise the 2008 Scoping Plan, and establish near and long term goals for reducing greenhouse gas emissions. The update will focus on six sectors, which include 1) transportation and fuels (including infrastructure and land use); 2) energy generation (including transmission infrastructure and efficiency); 3) waste; 4) water; 5) natural lands; and 6) agriculture. The timeline for the update anticipates a draft Scoping Plan being released in late summer, and Board action scheduled for November.

The updated Scoping Plan will influence the Cap & Trade expenditure plan that will hopefully be included in the Governor's 2014-15 budget proposal. This raises the importance of Alameda CTC and its partners in participating in these workshops and submitting comments on the types of programs the AB 32 Scoping Plan should focus on to achieve the greenhouse gas reduction goals. Comments can be submitted between now and up until 5:00 p.m. on August 30<sup>th</sup>. The Update Plan will serve as the foundation for future expenditure plan decisions. Alameda CTC is working with the Bay Area Congestion Management Agencies and MTC on this issue and will bring recommendations to the Commission in July on advocacy for the updated Scoping Plan.

The Sacramento Workshop provided an overview of the progress made toward the 2020 reduction goals, such as the Low Carbon Fuel Standard, shore power, heavy duty truck retrofits and replacement, Cap & Trade Regulations, and the implementation of SB 375. An overview of each sector was provided by representatives from various agencies. These summaries provided an overview of the 2020 goals and outlined a vision for the 2050 goals.

While the Sacramento Workshop provided a broader view of the update process, the regional workshops will include a discussion of local issues and priorities. The agenda for the Fresno and Bay Area workshop have not been posted, but the agenda for the Diamond Bar workshop included a panel of local stakeholders to provide an opportunity for local and regional representatives to present a more focused discussion on particular programs and goals for the region. The Bay Area workshop should include a similar panel discussion and Alameda CTC is working with the Air District to understand who will be included on the local panel.

For the transportation sector discussion, it was discussed that the 2050 goal includes an 80% reduction in transportation related greenhouse gas emissions. To accomplish this goal, the 2050 vision will focus on sustainable communities, freight transportation, and fuels. The vision for sustainable communities includes improving access to public transit, expanding the use of zero emission buses and rail, and development of active transportation infrastructure. This will require close coordination local and regional entities. The freight strategy will largely rely on moving goods more efficiently with zero or near zero emission vehicles.

## **Legislation**

*Update on AB 210:* AB 210 (Wieckowski with coauthors: Bonta, Buchanan, Quirk, and Skinner) Transactions and use taxes: County of Alameda and the County of Contra Costa Update: Alameda CTC's bill to allow the Commission to exceed the 2% limit on local sales taxes and is now on the Senate Floor awaiting a third reading. Once off the Senate Floor it will head to the Governor for signature. Alameda CTC staff has been working with all our partners to gather letters of support for this bill. As of this writing, the following support positions from Alameda County-related jurisdictions and organizations have been received:

- Albany
- Dublin
- Emeryville
- Fremont
- Hayward
- Livermore
- Oakland
- Pleasanton
- San Leandro
- Union City
- Alameda County
- AC Transit
- BART
- LAVTA
- MTC
- East Bay Regional Park District
- Building and Construction Trades Council
- East Bay Bicycle Coalition

*Legislative coordination efforts:* Alameda CTC leads and participates in many legislative efforts at the local, regional, state and federal levels, including both on coordinating with other agencies and partners as well as seeking grant opportunities to support transportation investments in Alameda County.

*Coordination activities:* In addition to the local legislative coordination activities, Alameda CTC is leading an effort to develop and provide statewide information on the benefits of Self-Help Counties and is also coordinating the legislative platform and priorities with the Bay Area Congestion Management Agencies.

**Fiscal Impact:** There is no fiscal impact.

## **Attachments**

- A. Alameda CTC Legislation Program

## **Staff Contact**

[Tess Lengyel](#), Deputy Director of Policy, Public Affairs and Legislation

***This page intentionally left blank***





2013 Alameda County Legislative Priorities

This legislative program supports Alameda CTC’s transportation vision adopted in the 2012 Countywide Transportation Plan described below:

“Alameda County will be served by a premier transportation system that supports a vibrant and livable Alameda County through a connected and integrated multimodal transportation system promoting sustainability, access, transit operations, public health and economic opportunities.

Our vision recognizes the need to maintain and operate our existing transportation infrastructure and services while developing new investments that are targeted, effective, financially sound and supported by appropriate land uses. Mobility in Alameda County will be guided by transparent decision-making and measurable performance indicators. Our transportation system will be: Multimodal; Accessible, Affordable and Equitable for people of all ages, incomes, abilities and geographies; Integrated with land use patterns and local decision-making; Connected across the county, within and across the network of streets, highways and transit, bicycle and pedestrian routes; Reliable and Efficient; Cost Effective; Well Maintained; Safe; Supportive of a Healthy and Clean Environment”

[This legislative program table will be updated on a monthly basis]

Issue	Priority	Strategy	Actions	Legislation	Status
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none"><li>• Support efforts to lower the two-thirds-voter threshold for voter-approved transportation measures.</li><li>• Support legislation that increases the buying power of the gas tax</li><li>• Support efforts to increase transportation revenues through vehicle license fees, vehicle miles traveled or other reliable means.</li><li>• Support legislation for alternative financing methods such as high-occupancy toll lanes, and allow funds collected on the HOT lanes by the California Highway Patrol to be reinvested within that corridor.</li></ul>	<ul style="list-style-type: none"><li>• Leading a portion of Self-Help Counties Coalition (SHCC) efforts to reduce voter-threshold requirements</li></ul>	<ul style="list-style-type: none"><li>• Support positions on SCA 8 (Corbett), SCA 4 (Liu), SCA 11 (Hancock) to reduce voter threshold to 55 percent; AB 210 (Wieckowski) to allow Alameda CTC to place another measure on the ballot</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>
	Protect and enhance voter-approved funding	<ul style="list-style-type: none"><li>• Support legislation that provides increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring and improving transportation infrastructure and operations.</li><li>• Support legislation that protects against transportation funding diversions to the General Fund.</li><li>• Support increases in federal, state and regional funding to expedite delivery of Alameda CTC projects and programs.</li><li>• Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.</li><li>• Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.</li><li>• Seek, acquire and implement grants to advance project and program delivery.</li><li>• Support Alameda County as the recipient of funds to implement pilot programs with innovative project implementation or transportation-funding mechanisms.</li></ul>	<ul style="list-style-type: none"><li>• On-going monitoring</li></ul>	<ul style="list-style-type: none"><li>• AB 431: Oppose MPO authority to place sales tax measures on the ballot for transportation, housing and open spaces</li><li>• AB466: Support CMAQ current funding allocation</li><li>• AB 791: Oppose changes to current methods for adjusting the excise fuel tax</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>
	Advance innovative project delivery	<ul style="list-style-type: none"><li>• Support legislation and policies that improve environmental streamlining and project reviews to expedite project delivery.</li><li>• Support legislation that improves the ability to deliver projects and programs in a timely, cost effective manner using contracting flexibility.</li><li>• Support innovative project delivery methods.</li><li>• Support HOT lane expansion in Alameda County and the Bay Area.</li><li>• Support policies that allow local agencies to advertise, award and administer state highway system contracts largely funded by locals</li></ul>	<ul style="list-style-type: none"><li>• On-going monitoring</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>
Project Delivery	Ensure cost-effective project delivery	<ul style="list-style-type: none"><li>• Support legislation that reduces project and program implementation costs by reducing or eliminating the requirements for state or other agency reimbursements to implement projects on state/regional systems.</li><li>• Support legislation that accelerates funding for transportation infrastructure projects that create jobs and economic growth in Alameda County.</li></ul>	<ul style="list-style-type: none"><li>• On-going monitoring, and work through the SHCC to provide input to the Secretary of Transportation on streamlining project delivery</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>	<ul style="list-style-type: none"><li>•</li></ul>

Issue	Priority	Strategy	Actions	Legislation	Status
Multimodal Transportation and Land Use	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none"> <li>Support legislation that increases flexibility and reduces technical and funding barriers to investments linking transportation, housing and jobs.</li> <li>Support local flexibility and decision-making on land-use for transit oriented development and priority development areas.</li> <li>Support innovative financing opportunities to fund TOD and PDA implementation that will increase mobility and jobs and reduce GHGs.</li> </ul>	<ul style="list-style-type: none"> <li>On-going monitoring</li> </ul>	<ul style="list-style-type: none"> <li>SB 391: Support ability to create a revenue stream for low-income housing that will assist with SB 375 requirements to house all income levels of the population within the region</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
	Expand multimodal systems and flexibility	<ul style="list-style-type: none"> <li>Support policies that provide multimodal transportation systems with multiple choices and better access for all kinds of transportation users.</li> <li>Support policies that provide increased flexibility for transportation service delivery through innovative, flexible programs that address the needs of commuters, youth, seniors, people with disabilities and low-income people.</li> <li>Support flexibility in transportation delivery to address climate change, senior population growth and transit maintenance and security, without creating unfunded mandates or dramatically increasing costs.</li> <li>Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education.</li> <li>Support parity in pre-tax fringe benefits for public transit/vanpooling and parking.</li> </ul>	<ul style="list-style-type: none"> <li>On-going work with agency coordination, grant development and legislative advocacy</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
	Support climate change legislation	<ul style="list-style-type: none"> <li>Support climate change legislation that provides funding for innovative infrastructure, operations, programs that relieve congestion, improve air quality, reduce emissions and support economic development.</li> <li>Support climate change legislation that expands transit services and supports safe, efficient, clear connections to transit services, including bike/ped infrastructure.</li> <li>To achieve necessary increases in public transit ridership to address GHG emissions from transportation sources, support legislation that augments but does not replace transit funding, nor create unfunded mandates.</li> </ul>	<ul style="list-style-type: none"> <li>On-going monitoring</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
Climate Change	Support cap-and-trade expenditure plan	<ul style="list-style-type: none"> <li>Engage in development of the statewide cap-and-trade expenditure plan and advocate increased transportation funding statewide and in Alameda County.</li> </ul>	<ul style="list-style-type: none"> <li>Working with the SHCC, MTC the CMAs and local agencies on this effort. Submitted a letter to CARB on March 8 supporting the Transportation Coalition for Livable Communities platform</li> </ul>	<ul style="list-style-type: none"> <li>AB 574: Support allocation of Cap &amp; Trade funds to the region for distribution to support implementation of the SCS</li> </ul>	<ul style="list-style-type: none"> <li>.</li> </ul>
	Support legislation and policies that support emerging technologies	<ul style="list-style-type: none"> <li>Support legislation that offers incentives for emerging technologies, such as alternative fuels and fueling technology, and research for transportation opportunities to reduce GHG emissions.</li> </ul>	<ul style="list-style-type: none"> <li>On-going monitoring</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> <li>Support efforts that encourage regional cooperation and coordination to develop, promote and fund solutions to regional transportation problems.</li> <li>Support legislation and policies that promote governmental efficiencies and cost savings in transportation.</li> <li>Support legislation that improves the ability to enhance or augment Alameda CTC projects and programs that affect bordering counties or regional networks.</li> <li>Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for state and local contracts.</li> </ul>	<ul style="list-style-type: none"> <li>On-going coordination at the SHCC, the Bay Area CMAs, and with Alameda CTC's local partners legislative roundtable.</li> <li>An updated Alameda CTC procurement policy will support business participation efforts.</li> </ul>	<ul style="list-style-type: none"> <li>Support AB 14 (Lowenthal) for the creation of a state freight plan and advisory committee</li> </ul>	<ul style="list-style-type: none"> <li></li> </ul>



# Memorandum

9.1

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** Authorization to Proceed to Initiate a FY2013-14 Debt Issuance

**RECOMMENDATION:** Receive an update on the debt issuance process and activities and authorize the Executive Director to:

1. Initiate the process of issuing approximately \$165 million in FY2013-14 debt to finance ACTIA capital project fund needs.
2. Issue Requests for Proposals (RFP) or Requests for Qualifications (RFQ), enter into negotiations with top ranked firms, and execute contracts for bond and disclosure counsel, investment banking services (underwriters) and various other small service contracts necessary to complete the bond issuance process such as the bond trustee and printers for the official statement.

## Summary

Per the Public Utilities Code, the Alameda CTC is authorized to issue limited tax bonds to finance capital expenditures as provided for in the transportation expenditure plan which are to be payable from the proceeds of the sales tax measure. The Alameda CTC anticipates the need for external financing in the coming fiscal year (FY 2013-14) based on the budget approved by the Commission in June 2013. The projects with the largest draw on ACTIA capital project funds over the next few years include the BART Warm Springs Extension, the BART Oakland Airport Connector, the new I-580/Route 84 (Isabel Avenue) Interchange, and the I-580 Corridor Improvements projects, which together account for most of the debt financing need. The funds financed for the I-580 Corridor Improvements project would be paid back to the ACTIA capital projects fund from future toll lane revenues.

The timing of this financing need can be extended to as late as the second quarter of FY2014-15, based on current cash flow projections if the ACTIA capital fund borrows funds from the 1986 ACTA capital fund, which allows staff time to get all the required documents prepared. However, with interest rates as low as they are today, the sooner the Alameda CTC goes to market the lower the cost of funds should be overall. Cash flow projections indicate that the ACTIA capital fund will continue to be solvent throughout the life of the measure as there will be sufficient funds to pay the debt service

on the bonds and allow the I-580 Corridor Improvements project to repay the ACTIA capital fund from toll revenues over time.

The key steps involved in the issuance of bonds include: hire a financing team to finalize the financing plan, develop bond documents, prepare for rating agency presentations, market the bonds to investors, price the bonds and close the transaction.

As a result of Finance and Administration Committee (FAC) recommendations, staff investigated opportunities with the County of Alameda (County) to see if we could partner with them to utilize their on-call pools for bond counsel, bond disclosure counsel and underwriter services as a means of expediting our selection process. The County has 11 firms in their bond counsel pool and 17 firms in their underwriter pool; however they do not have a pool for bond disclosure counsel. The County selected only one firm to perform bond disclosure counsel services. The County's procurement procedures utilized when selecting firms to be members of their bond counsel and underwriter on-call pools did not include a ranking process. Therefore, in order to use their pools and conform to best practices, Alameda CTC would need to issue an RFP to all firms on their on-call list in order to receive proposals from each firm to be evaluated and ranked. In discussions with the County's Administrative Analyst, it was agreed that this would be no different than administering a new Alameda CTC procurement and would not streamline our process in any way. Regardless, we would need to issue an RFQ for bond disclosure counsel services because the County does not have an on-call pool for these services. Therefore staff recommends moving forward in our selection for debt services utilizing Alameda CTC's procurement processes as originally recommended.

Also in response to FAC recommendations, staff contacted the Assistant County Administrator to see if she, or anyone from her experienced staff, would be available to help review and score Statements of Qualifications (SOQ) received in response to an Alameda CTC RFQ for bond counsel and disclosure counsel services and interview selected firms. Since the County is also in the process of issuing debt, they will not have enough spare time for the review and scoring of SOQs but the Assistant County Administrator has offered to sit on our interview panels to help us make a final, informed selection.

In addition, staff will be bringing all recommendations for bond counsel, bond disclosure counsel and underwriting services to the Audit Committee, comprised of Supervisor Scott Haggerty, Councilmember Rebecca Kaplan, and Mayor John Chiang, for review and approval before negotiating and awarding contracts to selected firms. Staff will bring the final selections for bond counsel, bond disclosure counsel and underwriters back to the FAC and Commission as an informational item.

## **Background**

The first step in the process of issuing debt is to select a financing team. Based on current scheduling projections, staff expects to begin the RFP process in July/August. Generally

the fees associated with the financing team are paid out of bond proceeds. The financing team includes:

- *Independent Financial Advisor (FA)* – acts as an advocate for the Alameda CTC and helps staff to make informed decisions throughout the bond issuance process. The FA will help to develop the plan for financing, develop the credit rating strategy, advise on the method of sale, assist in the development of the bond documents and plan and coordinate the bond closing. The Alameda CTC has already selected the FA, Public Financial Management, Inc. (PFM), who will assist in the process for selecting the rest of the financing team and has already assisted in the development of the debt policy also before you for approval today.
- *Bond Counsel* – serves as counsel to the Alameda CTC in preparing the Trust Indenture and other bond documents that are market standard and those that protect the interest and maintains future flexibility for the Alameda CTC. Tax professionals within the bond counsel firm will provide an objective legal opinion on the validity of a specific bond offering and the tax exempt status of the interest on the Alameda CTC's bonds for investors. Bonds can't be sold without the opinion of a recognized bond counsel. Staff is recommending approval for the issuance of a RFQ, entering into negotiations with top ranked firms, and executing a contract with bond counsel.
- *Disclosure Counsel* – is relied upon to thoroughly and accurately disclose all pertinent matters relating to the Alameda CTC and the bonds being offered to investors. Disclosure counsel provides advice and offers their opinion on matters of compliance with federal and SEC disclosure requirements. They prepare the official statement and the continuing disclosure agreement. Together, bond counsel and disclosure counsel work on matters such as federal and state law and tax approvals, ensuring that proper legal procedures are being followed. Staff is recommending approval for the issuance of a RFQ, entering into negotiations with top ranked firms, and executing a contract with disclosure counsel.
- *Bond Underwriters* – will be brought on board the financing team if staff decides to issue debt on a negotiated basis. A bond underwriter is a financial institution (investment bank or commercial bank) which would purchase all of our new municipal securities in the bond issuance and resell them to investors. Underwriters assist in the development of the plan of finance, the bond structure and in the review of bond documents. They also manage the pricing process and market the bonds. Staff is recommending approval for the issuance of a RFQ, entering into negotiations with top ranked firms, and executing a contract with bond underwriters.



Other participants in the bond issuance process include:

- *Rating Agencies* - will assess the credit quality of the bonds, assign a rating to the bond issue and update ratings periodically while the debt is outstanding.
- *Trustee* – acts in a fiduciary capacity for the benefit of bondholders in enforcing the terms of the trust indenture. They transmit principal and interest payments from issuer to the bondholders and hold and invest money in the construction and other funds that serve as security for the payment of debt service on the bonds.
- *Auditor* – will provide a report of the Alameda CTC's financial position.

Once the team is selected, the process of preparing bond documents, the disclosure document and a rating agency presentation will begin. Based on current scheduling projections, staff expects the preparation of these documents to transpire throughout the fall of 2013.

Bond documents include the following:

- *Trust Indenture* – A written agreement between the issuer of a bond and the trustee, acting on behalf of bondholders which articulates the terms and conditions for the transaction, such as interest rate, maturity date convertibility and other terms, and defines the responsibilities of the issuer and the bondholder.
- *Bond Purchase Agreement* – Contract between an underwriter and an issuer that sets the terms of the sale, price, and interest rate on a new issue of bonds.
- *Resolution for Commission Approval to Issue Debt* – Staff will come to the Commission for approval before issuing debt with substantially final bond documents including a resolution for approval which will detail and describe: Purpose for debt issuance, estimated costs, principal amount of bonds, maximum term for the bonds, maximum rate of interest to be paid, denominations of the bonds, the form of the bonds such as registered or coupon bonds and other pertinent information. Based on current scheduling projections, staff expects to return to the Commission for approval of this resolution in January 2014.

*Disclosure document* - The disclosure document is initially referred to as the *preliminary official statement* (POS). The POS provides a description of the securities offered and the transaction prior to the determination of the interest rate and offering price. It may be used to gauge interest in an issue and is often relied upon by potential purchasers in making their investment decision as it discloses risk and other material information associated with investment in the securities. Offers for the sale of or acceptance of securities are not made on the basis of the preliminary official statement and a statement to

that effect appears on the face of the document. The POS is subject to amendment until finalized as the official statement when bonds are sold.

*Rating agency presentation* - A rating agency presentation is prepared to present to the selected rating agencies, such as Standard and Poor's, Moody's or Fitch, in order for the Alameda CTC to receive a bond rating before going to market. The presentation should tell the story of the Alameda CTC and should including qualitative information such as various demographic and financial metrics. Based on current scheduling projections, staff expects to invite rating agencies in for presentations in the month of December so that ratings will be received before going to market. Staff will distribute the final rating reports from rating agencies to Commission members.

Following Commission approval to issue bonds (expected in January 2014), the POS will be distributed to investors and the bonds will be marketed for two weeks. There will be investor outreach and meetings held to give investors information about the Alameda CTC and to tell our story. Outreach will be imperative to the sale of Alameda CTC bonds since the Alameda CTC is a new agency and has not previously been in the market selling bonds. Staff expects to go to market in the month of February for the final sale of bonds.

In order to maintain investor relations, staff will set up procedures to ensure that once bonds are issued, debt service is paid accurately and timely and that continuing disclosure requirements are met. Continuing disclosure information should reflect the financial health of the agency as it changes over time and includes specific events that can have an impact on key features of the bonds. This information is loaded on the Municipal Securities Rulemaking Board's (MSRB) Electronic Municipal Market Access (EMMA) website at [www.EMMA.MSRB.org](http://www.EMMA.MSRB.org).

**Fiscal Impact:** There is no fiscal impact to the budget for this item as all contracts for the issuance of debt will be paid out of the bond proceeds of the bond issuance. However, since the Alameda CTC currently has no outstanding debt there will be an increase in debt service costs once the debt is issued over the remaining life of the Measure B sale tax. Principal and interest costs will be determined as the details of the debt issuance are developed.

**Staff Contact:**

[Patricia Reavey](#), Director of Finance

***This page intentionally left blank***





# Memorandum

9.2

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** Approve the Alameda CTC Debt Policy

**RECOMMENDATION:** Approve the Alameda CTC Debt Policy effective Fiscal Year 2013-2014.

## Summary

This Alameda CTC Debt Policy (Debt Policy) establishes guidelines for the issuance and management of Alameda CTC debt and confirms the commitment of the Commission, management and staff to adhere to sound financial management practices. The proposed Debt Policy was developed to define parameters and guide staff and financial advisors in developing Alameda CTC's plans for debt issuances. This Debt Policy will govern the issuance and management of all debt funded through the capital markets, including the selection and management of related financial and advisory services and products. Priorities of the Debt Policy include:

- To effectively manage and mitigate financial risk;
- To maintain strong credit ratings and good investor relations;
- To achieve the lowest cost of capital;
- To preserve future program flexibility; and
- To maintain ready and cost-effective access to the capital markets.

Responsibility for implementation of the Debt Policy and day-to-day responsibility and authority for structuring, implementing, and managing the Alameda CTC debt and finance program, shall reside with the Executive Director and Director of Finance. This Debt Policy requires that the Commission specifically authorize each debt financing.

The Alameda CTC's Strategic Plan, which programs Measure B Sales Tax funds, shall be used in combination with the Alameda CTC's Debt Policy to ensure proper allocation and financing of Measure B eligible projects. The Strategic Plan sets priorities and strategies for allocating Measure B funds under its guiding principles, while the Debt Policy provides policy direction and limitations for proposed financings. Debt issuance for capital projects shall not be recommended for Commission approval unless such issuance has been incorporated into the Strategic Plan.

## **Background**

The Alameda CTC currently has no debt outstanding, but is planning to issue debt in relation to ACTIA capital project needs over the next fiscal year. The Debt Policy sets standards for appropriate use of debt financing, defines the purposes for which debt financing can be used, and describes the types of debt financing allowed by this Debt Policy, terms and structural considerations, various credit enhancements available when issuing debt, and the methods of sale available. It also sets parameters around the investment of bond proceeds and describes the relationships with rating agencies, investors and the Commission.

The Debt Policy requires contracts with the financing team to be competitively bid and for staff to receive Commission approval before soliciting these services. It also requires continuing disclosure for the benefit of the bond holders in compliance with Title 17 Code of Federal Regulations §240 15c2-12, Municipal Securities Disclosure and for staff to develop post issuance compliance procedures to ensure that Alameda CTC is in compliance with requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied with respect to tax-exempt bonds and other obligations after the bonds are issued so that interest on the bonds is and will remain tax-exempt.

**Fiscal Impact:** There is no fiscal impact.

## **Attachments**

A. Alameda CTC Debt Policy - Draft

## **Staff Contact**

[Patricia Reavey](#), Director of Finance

**Alameda County Transportation Commission**  
**Debt Policy – DRAFT**

**I. Introduction**

The purpose of the Debt Policy is to establish guidelines for the issuance and management of Alameda CTC debt. This Debt Policy confirms the commitment of the Commission, management, staff, and other decision makers to adhere to sound financial management practices. Priorities of the Debt Policy are as follows:

- Effectively manage and mitigate financial risk
- Maintain strong credit ratings and good investor relations
- Achieve the lowest cost of capital
- Preserve future program flexibility
- Maintain ready and cost-effective access to the capital markets

**II. Scope and Authority**

This Debt Policy shall govern the issuance and management of all debt funded through the capital markets, including the selection and management of related financial and advisory services and products.

This Policy shall be reviewed periodically and updated as required. Any changes to the policy are subject to approval by the Commission at a legally noticed and conducted public meeting. Overall policy direction of this Debt Policy shall be provided by the Commission. Responsibility for implementation of the Debt Policy and day-to-day responsibility and authority for structuring, implementing, and managing the Alameda CTC debt and finance program, shall reside with the Executive Director and Director of Finance. This Debt Policy requires that the Commission specifically authorize each debt financing.

While adherence to this Debt Policy is required in applicable circumstances, the Alameda CTC recognizes that changes in the capital markets, Alameda CTC programs and other unforeseen circumstances may from time to time produce situations that are not covered by the Debt Policy and require modifications or exceptions to achieve policy goals. In these cases, management flexibility is appropriate, provided specific authorization from the Commission is obtained.

**III. Capital Budgeting and Planning for Debt Issuance**

The Alameda CTC's Strategic Plan/Congestion Management Program, which programs Measure B Sales Tax funds as well as all other funds administered by the Alameda CTC, shall be used in combination with the Alameda CTC's Debt Policy to ensure proper allocation and financing of Measure B eligible projects. The Strategic Plan sets priorities and strategies for allocating Measure B funds under its guiding principles, while the Debt Policy provides policy direction and limitations for proposed financings. Debt issuance for capital projects shall not be recommended for Commission approval unless such issuance has been incorporated and approved by the Commission in the Strategic Plan.

#### **IV. Standards For and Appropriate Use of Debt Financing**

As borrowing needs are identified, Alameda CTC will evaluate the nature of the capital investment (e.g., the purpose and useful life of the asset) to ensure that long-term debt is the appropriate financing mechanism to meet the funding need. Standards for the appropriate use of debt financing will include those described below.

- A. Long Term Capital Projects:** Long-term debt should be used to finance essential capital projects where it is cost effective and fiscally prudent. The debt repayment period should not exceed 120% of the useful life of the project being financed or the term of the current sales tax Measure. The ability or need to expedite or maintain the programmed schedule of approved capital projects will be a factor in the decision to issue long-term debt.
- B. Debt Financing Mechanism:** Alameda CTC will evaluate the use of financial alternatives available including, but not limited to, long-term debt, short-term debt, commercial paper, and inter-fund borrowing. Alameda CTC will utilize the most cost advantageous financing alternative consistent with limiting the Alameda CTC's risk exposure.
- C. Credit Quality:** Credit quality is an important consideration for the Alameda CTC. All Alameda CTC debt management activities for new debt issuances will be conducted in a manner conducive to receiving the highest credit ratings possible consistent with the Alameda CTC's debt management and project delivery objectives.

#### **V. Purpose of Financing**

The general purpose of bond financing falls into three general categories: (1) to finance new capital infrastructure, (2) to refinance existing bonds to reduce financing costs, risk or both, or (3) to reimburse an agency for eligible capital expenditures made within the last 18 months. These purposes are described in more detail below

- A. New Money Financing:** New money issues are those financings that generate additional funding to be available for expenditure on capital projects. These funds may be used for right-of-way acquisition, design, construction and the acquisition of construction materials, construction support, major rehabilitation of capital assets and utility relocation. New money issues will be proposed in the context of the Alameda CTC's Strategic Plan and will be consistent with the Transportation Expenditure Plan and Measure B Ordinance.
- B. Refunding Bonds:** Refunding bonds are issued to retire all or a portion of an outstanding bond issue. Most typically this is done to refinance at a lower interest rate to reduce debt service costs. Alternatively, some refundings are executed for a reason other than to achieve cost savings, such as to restructure the repayment schedule of the debt, to change the type of debt instruments being used, or to retire an indenture in order to remove undesirable covenants. In any event, a present value analysis must be prepared that identifies the economic effects of any refunding being proposed to the Commission.

The Alameda CTC has established a minimum debt service savings threshold goal of 3.0% of the refunded bond principal amount, on a maturity-by-maturity basis, unless there are other compelling reasons for defeasance. As an exception to this target savings threshold, the Alameda CTC may elect to include bonds maturing in the next 24 months into a larger

refunding if those maturities provide some positive savings. The present value savings will be calculated net of all costs related to the refinancing.

- C. Reimbursement Bonds: A reimbursement bond is a tax-exempt bond the proceeds of which are allocated to prior expenditures originally paid from sources other than bond proceeds. A proper reimbursement allocation results in the proceeds being treated as spent for the governmental purpose of the original expenditures even though the actual moneys are used to replenish the funds originally used to pay the expenditures.

Under federal tax regulations, the proceeds of bonds may be allocated to a prior capital expenditure, but only if a formal declaration of reasonable intention to reimburse the expenditure with the proceeds of a borrowing (a "declaration of official intent") had been properly made within sixty (60) days after the date the expenditure was paid. This declaration of official intent is commonly made via a reimbursement resolution adopted by the Commission. If a declaration of official intent has been made, bond proceeds may be allocated to expenditures previously paid for a period of up to 18 months after the date the expenditures were paid.

## VI. Types of Debt

The market for municipal finance is well developed and provides numerous products or types of debt that the Alameda CTC will evaluate on a case-by-case basis. Some of the types of debt – long-term, short-term and variable rate – available to the Alameda CTC are described in this section.

### A. Long Term Debt

1. Current Coupon Bonds: are bonds that pay interest periodically and principal at maturity. They may be used for both new money and refunding transactions. Bond features may be adjusted to accommodate market conditions at the time of sale, including changing dollar amounts for principal maturities, offering discount and premium bond pricing, modifying call provisions, utilizing bond insurance, and determining how to fund the debt service reserve fund.
2. Zero Coupon and Capital Appreciation Bonds: pay interest that is compounded and paid only when principal matures. Interest continues to accrue on the unpaid interest at rates that are typically higher than rates on current-coupon bonds, therefore representing a more expensive funding option. In the case of zero-coupon bonds, principal paid at maturity is discounted back to the initial investment amount received at issuance. In the case of Capital Appreciation Bonds, the value of the bond accretes until maturity.
3. Transportation Infrastructure Finance Innovation Act (TIFIA) Loan: is a loan provided by the United States Department of Transportation for certain transportation projects of regional importance. A TIFIA loan may contain comparatively flexible repayment provisions and an interest rate that is tied to the prevailing 30-year US Treasury Bond yield. The Alameda CTC may elect to apply for a TIFIA loan if it is determined that a project is eligible and it is the most cost effective debt financing option available for the project.

**B. Short-Term Debt**

1. Commercial Paper Notes: may be issued as an alternative to fixed rate debt, particularly when the timing of funding requirements is uncertain. The Alameda CTC may maintain an ongoing commercial paper program to ensure flexibility and immediate access to capital funding when needed.
2. Grant Anticipation Notes (GANs): are short-term notes that are repaid with the proceeds of State or Federal grants of any type. The Alameda CTC shall generally issue GANs only when there is no other viable source of funding for the project.
3. Lines of Credit: shall be considered as an alternative to or credit support for other short term borrowing options.
4. Grant Anticipation Revenue Vehicle Financing (GARVEE): are bonds issued by the State and enable entities to fund transportation projects that are secured by certain federal grants. The Alameda CTC may consider the issuance of GARVEEs to meet cash flow shortfalls of grant revenues.

**C. Variable Rate Debt**

1. Variable Rate Debt: It is sometimes appropriate to issue short-term or long-term variable rate debt to diversify the debt portfolio, reduce interest costs, provide interim funding for capital projects and improve the match of variable rate assets to variable rate liabilities. The amount of unhedged variable rate debt will generally not exceed 20% of all outstanding debt. Under no circumstances will variable rate debt be issued solely for the purpose of earning interest through arbitrage.

**VII. Terms and Structure of Bonds**

The terms and structure of a specific bond issuance will be developed within a prudent legal framework and with the objective of minimizing risk to Alameda CTC, maintaining strong credit ratings, addressing investor concerns, and preserving future flexibility in a cost-effective manner. Some of the terms and structural considerations are discussed below.

- A. Term: All capital improvements financed through the issuance of debt will be financed for a period not to exceed 120% of the expected average useful life of the assets being financed, and in no event shall exceed the expiration date of the current sales tax measure.
- B. Lien Levels: Senior and Junior Liens for each revenue source may be utilized in a manner that will maximize the most critical constraint -- typically either cost or capacity -- thus allowing for the most beneficial use of the revenue source securing the bond.
- C. Debt Service Structure: Alameda CTC will examine debt service structures in the context of program needs. Combined principal and interest payments for any particular bond issue will first be examined as a level payment structure. Deferred principal can create increased program and project delivery capacity and will also be examined. Alameda CTC's debt service structure will be sized within conservative revenue constraints and with the objective of maintaining strong credit ratings.

- D. Capitalized Interest: Unless otherwise required, capitalized interest will not be employed. This avoids unnecessarily increasing the bond size. Certain types of financings, such as toll revenue bonds, may require that interest on the bonds be paid from capitalized interest until Alameda CTC has constructive use of the project and project related revenues are expected to be available to pay debt service.
- E. Additional Bonds Test: Any new senior lien debt issuance must not cause Alameda CTC's debt service to exceed the level at which prior year revenues are less than one and a half times (1.5x) the maximum annual debt service (MADS) (or maximum annual principal and interest) for the aggregate outstanding senior lien bonds including the debt service for the new issuance.
- F. Call Provisions: In general, fixed rate, tax-exempt bonds will be issued with a provision that allows Alameda CTC to call outstanding bonds 10-years after the bond delivery date at par (i.e., no call premium).

#### **VIII. Credit Enhancement**

The Alameda CTC will consider the cost and benefit of credit enhancement, including the potential funding of a debt service reserve fund, on a case-by-case basis with each separate bond issuance.

- A. Bond insurance: The Alameda CTC shall have the authority to purchase bond insurance when such purchase is deemed prudent and advantageous. The predominant determination shall be based on such insurance being less costly than the present value of the difference in the interest expense on insured bonds versus uninsured bonds.
- B. Debt Service Reserves: When beneficial to the Alameda CTC, a reserve fund equal to the lesser of:
  1. Ten percent (10%) of the original principal amount of the bonds
  2. Maximum annual debt service, or
  3. One-hundred-and-twenty-five percent (125%) of average annual debt service (the "Reserve Requirement")

Shall be funded from the proceeds of each series of bonds, subject to federal tax regulations and in accordance with the requirements of credit enhancement providers and/or rating agencies.

The Alameda CTC shall have the authority to purchase reserve equivalents (i.e., the use of a reserve fund surety) when such purchase is deemed prudent and advantageous. Such equivalents shall be evaluated in comparison to cash funding of reserves on a net present value basis.

- C. Letters of Credit: The Alameda CTC shall have the authority to enter into a letter-of-credit agreement when such an agreement is deemed prudent and advantageous. The long-term and short-term credit ratings of those financial institutions offering letters of credit will be a critical consideration before procuring any letter of credit.

## **IX. Method of Bond Sale**

The Alameda CTC will determine, on a case-by-case basis, whether to sell its bonds competitively or through negotiation. Generally, there are three methods of sale: competitive, negotiated and private placement. Each type of bond sale has advantages and the potential to provide the lowest cost given the right conditions.

- A. Competitive Sale:** A competitive bond sale is used by established issuers, with strong credit ratings during times in which there are stable market conditions. With a competitive sale, an underwriter is not selected prior to the date of sale. The issuer works with their financial advisor and legal counsel to prepare documents, rating strategies and to notify market participants of the coming bond sale according to a published Notice of Sale. Industry accepted information outlets as well as phone calls made directly to the desks of underwriting firms are used to notify underwriters of the upcoming sale. The underwriter is selected based solely on price on the day of sale when bids are accepted.

A competitive sale allows an issuer to control bidding parameters and select the winning underwriter solely on the lowest True Interest Cost (TIC) submitted during a 30-minute bid process. No input on credit, structure or other matters is received from underwriters under a competitive sale.

- B. Negotiated Sale:** In a negotiated bond sale the issuer selects the underwriter several months before the sale of the bonds through a competitive Request for Proposals (RFP) or Request for Qualifications (RFQ) process. The underwriter is selected based upon relevant experience, recent bond sale performance and fees, among other factors. The final pricing of the bonds is directly negotiated with the underwriter based upon investor demand and orders received on the day of sale. The issuer generally relies upon the financial advisor during the negotiation process.

A negotiated sale is common for a new or infrequent issuer or an issuer with a weak bond rating. A negotiated sale can be advantageous during high volatility in the financial markets or during periods of low investor demand. Issuers who desire the underwriter's input on credit rating strategies, deal structure, document preparation, etc., will elect to sell bonds through a negotiated sale.

- C. Private Placement:** A Private Placement is a sale that is structured specifically for one purchaser such as a commercial bank. A direct purchase agreement or revolving credit facility is a form of a private placement. Such placement shall only be considered if this method is likely to result in a cost savings to the Alameda CTC relative to other methods of debt issuance.

## **X. Investment of Bond Proceeds**

When bonds are issued, proceeds are deposited in various accounts, such as a construction fund, debt service fund and debt service reserve fund. Monies deposited in these funds are invested until needed. The investment strategy for each fund depends on federal/state statutes and regulations governing the types of instruments permitted to be used, the yield goals for the fund, requirements



from rating agencies or credit enhancement providers, and the anticipated drawdown of bond proceeds.

The primary objectives for the investment activities of these funds will mirror that of the Alameda CTC investment policy, in order of priority, of safety, liquidity and yield. The investment strategy for these funds will incorporate steps to minimize credit risk, market risk and opportunity risk by establishing guidelines for permitted investments, developing good cash flow estimates and integrating knowledge of prevailing and expected future market conditions with cash flow requirements. The investment of bond proceeds will be made in a manner that ensures legal and regulatory requirements are met, fair market value bids and offers are received and objectives for the uses of proceeds are attained. An evaluation will be conducted of investment alternatives including individual securities or portfolio of securities, investment agreements and mutual or pooled investment funds.

Investments will be permitted for bond proceeds as defined in the bond indenture document which will list an array of allowable options such as nonmarketable U.S. Treasury securities sold to state and local governments (SLGS), the Local Agency Investment Fund (LAIF) and various other investment alternatives as allowed in the California Government Code with the goal of earning the maximum arbitrage yield. Arbitrage calculations will be completed on a regular basis to monitor arbitrage rebate liabilities, if any, and a reserve for liabilities will be established for future remittance to the Internal Revenue Service.

#### **XI. Market Relationships**

As an issuer who values cost-effective market-access, the Alameda CTC will actively provide requested information and maintain relationships with rating agencies, investors and other market participants, as needed.

- A. Rating Agencies: The Executive Director and the Director of Finance shall be primarily responsible for maintaining our relationships with those rating agencies (i.e., Standard & Poor's, Moody's Investors Service and Fitch Ratings) from whom the Alameda CTC requests and holds ratings. The Alameda CTC may, from time-to-time, choose to deal with only one or two of these agencies as circumstances dictate. In addition to general communication, the Executive Director and the Director of Finance shall offer conference calls and/or meetings with agency analysts in connection with a planned sale.
- B. Investor Relations: Timely and accurate information shall be provided in response to inquiries from investors in order to maintain positive ongoing investor relations.
- C. Board Communication: As a means of providing feedback from rating agencies and/or investors regarding our financial strengths and weaknesses as perceived by the marketplace, information will be provided to the Commission when material information develops.

#### **XII. Continuing Disclosure**

It is Alameda CTC's policy to remain in compliance with Title 17 Code of Federal Regulations §240.15c2-12, Municipal Securities Disclosure, by filing our annual financial statements and other financial information for the benefit of our bondholders within 270 days of the close of the fiscal year and filing material event notices in a timely manner.

### **XIII. Consultants**

The Alameda CTC shall select its primary consultant(s) by a competitive qualifications-based process through Request for Proposals.

**A. Selection of Financing Team Members:** The Executive Director and the Director of Finance will request authorization from the Commission to issue RFPs or RFQs, enter into negotiations with the top ranked firms and execute contracts for the following services.

1. Financial Advisor: The Alameda CTC shall utilize a financial advisor to assist in its debt issuance and debt administration processes. Selection of the Alameda CTC's financial advisor(s) shall be based on, but not limited to, the following criteria: (a) experience in providing consulting services to complex issuers, (b) knowledge and experience in structuring and analyzing complex issues, (c) experience and reputation of assigned personnel, and (d) fees and expenses.
2. Bond Counsel: Transaction documentation for debt issues shall include a written opinion by legal counsel affirming we are authorized to issue the proposed debt, that we have met all constitutional and statutory requirements necessary for issuance, and a determination of the proposed debt's federal income tax status. A nationally recognized bond counsel firm with extensive experience in public finance and tax issues will prepare this approving opinion and other documents relating to the issuance of debt. The bond counsel will be selected through a competitive RFP or RFQ process.
3. Disclosure Counsel: When undertaking a bond sale, disclosure counsel may be retained to prepare the official statement if additional independence or expertise is needed. Disclosure counsel will be responsible for ensuring that the official statement complies with all applicable rules, regulations and guidelines. Disclosure counsel will be a nationally recognized firm with extensive experience in public finance. The disclosure counsel will be selected through a competitive RFP or RFQ process.
4. Underwriter: The Alameda CTC shall have the right to select a senior manager and co-managers for a proposed negotiated sale. The Commission may establish a pool of eligible underwriters, or select firms on an as-needed basis. In either case, underwriters for a particular transaction will be selected through a competitive RFP RFQ process.
5. Underwriter Counsel: In any negotiated sale of Alameda CTC debt in which legal counsel is required to represent the underwriter, the lead underwriter will make the appointment, subject to Alameda CTC approval.

### **XIV. Post-Issuance Compliance Procedures**

The Alameda CTC will establish and document procedures to ensure that Alameda CTC is in compliance with requirements of the Internal Revenue Code of 1986, as amended, that must be satisfied with

respect to tax-exempt bonds and other obligations after the bonds are issued so that interest on the bonds is and will remain tax-exempt.

***This page intentionally left blank***



# Memorandum

11.1

1333 Broadway, Suites 220 & 300, Oakland, CA 94612

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 16, 2013

**SUBJECT:** Route 84 Expressway Widening Project - South Segment (PN 624.2) : Resolution #13-008

**RECOMMENDATION:** Adopt Resolution #13-008 agreeing to hear resolutions of necessity should an eminent domain action be required to acquire property for construction of the Route 84 Expressway Widening - South Segment Project. This requires a four-fifths affirmative vote by the Commission (18 Members or Alternates)

## Summary

The Route 84 Expressway Widening Project –South Segment is currently in the design and right of way acquisition phase. This project requires fee acquisition and easements rights for several parcels. Acquisition of some of these parcels may require resolutions of necessity. For Alameda CTC to hear resolutions of necessity, the Commission must adopt a resolution authorizing it to hear such resolutions of necessity. Staff intends to make every effort to negotiate with the property owners to acquire property rights. Adoption of this resolution is necessary to proceed to the actual Resolutions of Necessity process in case staff is unable to acquire property rights through the negotiation process.

## Background

The Route 84 Expressway Widening Project proposes to widen and upgrade State Route 84 in the Cities of Pleasanton and Livermore to expressway standards from Ruby Hill Drive to Jack London Boulevard. This is a former Alameda County Transportation Authority project. This project is being implemented in two phases – North Segment, from Concannon Boulevard to Jack London Boulevard and South Segment, from Concannon Boulevard to Ruby Hill Drive. The North Segment is under construction. The South Segment is currently in design and right of way acquisition phase. Improvements within the limits of South Segment include widening from 2 to 4 lanes, intersection improvements, drainage modifications and utility relocation. Route 84 Expressway Widening Project – South Segment is funded with \$37 million from the State Transportation Improvement Program (STIP) funds, \$10 million from Tri Valley Transportation Council (TVTC) funds, and \$35 million from Measure B Funds.

One critical ongoing activity is the acquisition of right-of-way required to construct the Route 84 Expressway Widening Project - South Segment. The acquisition process may require

initiating eminent domain proceedings, although it is hoped that this can be avoided through successful negotiations with property owners. If necessary, the process includes a public hearing(s) to consider Resolution(s) of Necessity to acquire right-of-way required for the project.

For Alameda CTC to hear resolutions of necessity to acquire the property interests necessary for the Route 84 Expressway Widening Project – South Segment, the Commission must adopt a resolution authorizing it to hear such resolutions of necessity. The Resolution, which will authorize Alameda CTC to hear resolutions of necessity for the acquisition of property interests necessary for the Route 84 Expressway Widening Project – South Segment, is attached (Attachment A). Adoption of the Resolution requires a four-fifths affirmative vote by the Commission (18 Members or Alternates). Once the attached resolution is adopted, Caltrans will authorize the Commission to hear any requisite resolutions of necessity for the Route 84 Expressway Widening Project – South Segment.

If staff is unable to negotiate the acquisition of the property rights necessary for the project, the projected date for staff to return to Alameda CTC with resolutions of necessity is February 2014. The staff reports for the resolutions of necessity will provide detail about the specific necessary acquisitions and the project.

**Fiscal Impact:** There is no fiscal impact.

## **Attachments**

- A. Resolution of the Alameda County Transportation Commission Electing to Hear Resolutions of Necessity for the Route 84 Expressway Widening Project – South Segment

## **Staff Contact**

[Stewart Ng](#), Deputy Director of Programming and Projects

[Gary Sidhu](#), Project Controls Team

**Commission Chair**

Scott Haggerty, Supervisor - District 1

**Commission Vice Chair**Rebecca Kaplan,  
City of Oakland Councilmember**AC Transit**

Elsa Ortiz, Director

**Alameda County**Supervisors  
Richard Valle - District 2  
Wilma Chan - District 3  
Nate Miley - District 4  
Keith Carson - District 5**BART**

Thomas Blalock, Director

**City of Alameda**

Marilyn Ezzy Ashcraft, Vice Mayor

**City of Albany**

Peggy Thomsen, Mayor

**City of Berkeley**

Laurie Capitelli, Councilmember

**City of Dublin**

Tim Sbranti, Mayor

**City of Emeryville**

Ruth Atkin, Councilmember

**City of Fremont**

Suzanne Chan, Councilmember

**City of Hayward**

Marvin Peixoto, Councilmember

**City of Livermore**

John Marchand, Mayor

**City of Newark**

Luis Freitas, Councilmember

**City of Oakland**

Larry Reid, Vice Mayor

**City of Piedmont**

John Chiang, Mayor

**City of Pleasanton**

Jerry Thorne, Mayor

**City of San Leandro**

Michael Gregory, Vice Mayor

**City of Union City**

Carol Dutra-Vernaci, Mayor

**Executive Director**

Arthur L. Dao

**ALAMEDA COUNTY TRANSPORTATION COMMISSION  
RESOLUTION NUMBER 13-008****Resolution of the Alameda County Transportation Commission Electing  
to Hear Resolutions of Necessity for the Route 84 Expressway Widening  
Project - South Segment**

**WHEREAS**, Alameda CTC is undertaking the Route 84 Expressway Widening Project - South Segment ("Project") (a former Alameda County Transportation Authority project) to widen State Route 84 to expressway standards, improve intersections and drainage, relocate utilities out of State right of way and make other improvements to the State Highway in the Cities of Pleasanton and Livermore; and

**WHEREAS**, as of March 1, 2012, Alameda CTC has been vested with the power of eminent domain to acquire real property by virtue of Article 1, Section 19 of the Constitution of the State of California, Section 25350.5 of the Government Code of the State of California as delegated in Section 14 of Alameda CTC's Joint Powers Agreement, and Sections 1240.010 and 1240.110 of the Code of Civil Procedure of the State of California within the jurisdictional limits of the County of Alameda; and

**WHEREAS**, the State of California, Department of Transportation requires the governing body of a local transportation agency acquiring real property for a project relating to a State Highway to pass and adopt by a four-fifths vote a resolution determining that the governing body of the local transportation authority will hear resolutions of necessity to acquire real property for a project relating to a State Highway, if any are necessary; and

**WHEREAS**, to proceed with the Project and the acquisition process, and in light of the Project's schedule, critical deadlines, and necessary acquisitions, it may be necessary to conduct Resolution of Necessity hearings.

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Alameda County Transportation Commission hereby agrees to conduct Resolution of Necessity hearings, and to adopt or reject the proposed resolutions of necessity to obtain the real property and real property interests determined to be necessary for the Project.

**PASSED AND ADOPTED** by the governing body of the Alameda County Transportation Commission on July 25, 2013 by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**SIGNED:**

---

Scott Haggerty, Chair

**ATTEST:**

---

Vanessa Lee, Clerk of the Commission