



1333 Broadway, Suites 220 & 300

Oakland, CA 94612

PH: (510) 208-7400

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

## Alameda County Transportation Commission

meeting as a committee of the whole as the

### PLANNING, POLICY AND LEGISLATION COMMITTEE

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Mark Green, Mayor – Union City

#### Commission Vice Chair

Scott Haggerty, Supervisor – District 1

#### AC Transit

Greg Harper, Director

#### Alameda County

Supervisors

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Wilma Chan – District 3

Nate Miley – District 4

Keith Carson – District 5

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#### City of San Leandro

Joyce R. Starosciak, Councilmember

#### Executive Director

Arthur L. Dao

### MEETING NOTICE

**Monday, April 11, 2011, 11:00 A.M.**

1333 Broadway, Suite 300, Oakland, California 94612

(see map on last page of agenda)

#### Chair:

Director Greg Harper

#### Vice Chair:

Councilmember Olden Henson

#### Members:

Mayor Mark Green

Supervisor Scott Haggerty

Supervisor Keith Carson

Mayor Jennifer Hosterman

Mayor Marshall Kamena

Councilmember Joyce Starosciak

#### Staff Liaisons:

Beth Walukas

Tess Lengyel

#### Executive Director:

Arthur L. Dao

#### Clerk of the Commission:

Gladys V. Parmelee

### AGENDA

*Copies of Individual Agenda Items are Available on the:  
Alameda CTC Website -- [www.AlamedaCTC.org](http://www.AlamedaCTC.org)*

#### 1 Pledge of Allegiance

#### 2 Public Comment

Members of the public may address the Committee during “Public Comment” on any item not on the agenda. Public comment on an agenda item will be heard when that item is before the Committee. Only matters within the Committee’s jurisdictions may be addressed. Anyone wishing to comment should make their desire known by filling out a speaker card and handing it to the Clerk of the Commission. Please wait until the Chair calls your name. Walk to the microphone when called; give your name, and your comments. Please be brief and limit comments to the specific subject under discussion. Please limit your comment to three minutes.

#### 3 Consent Calendar

3A. Minutes of March 14, 2011 – **page 1**

**A**

3B. Receive Report on Environmental Document/General Plan  
Amendments Reviewed – **page 7**

**A**

<b>4</b>	<b>Planning</b>	
4A.	Approval of 2011 Congestion Management Program (CMP) Update: Recommendations for the CMP Level of Service Standards Regarding Roadway Network and Multimodal Level of Service – <b>page 9</b>	<b>A</b>
4B.	Review of Sustainable Community Strategy (SCS)/Regional Transportation Plan (RTP) and Countywide Transportation Plan (CWTP)/Transportation Expenditure Plan Information – <b>page 25</b>	<b>I</b>
<b>5</b>	<b>Legislation and Policy</b>	
5A.	Legislative Update – Approval of Legislative Positions – <b>page 39</b>	<b>A</b>
<b>6</b>	<b>Staff and Committee Member Reports</b>	
<b>7</b>	<b>Adjournment/Next Meeting: MAY 9, 2011</b>	

Key: A- Action Item; I – Information Item

(#) All items on the agenda are subject to action and/or change by the Committee.

*PLEASE DO NOT WEAR SCENTED PRODUCTS SO INDIVIDUALS WITH  
ENVIRONMENTAL SENSITIVITIES MAY ATTEND*

## Glossary of Acronyms

<b>ABAG</b>	Association of Bay Area Governments	<b>MTC</b>	Metropolitan Transportation Commission
<b>ACCMA</b>	Alameda County Congestion Management Agency	<b>MTS</b>	Metropolitan Transportation System
<b>ACE</b>	Altamont Commuter Express	<b>NEPA</b>	National Environmental Policy Act
<b>ACTA</b>	Alameda County Transportation Authority (1986 Measure B authority)	<b>NOP</b>	Notice of Preparation
<b>ACTAC</b>	Alameda County Technical Advisory Committee	<b>PCI</b>	Pavement Condition Index
<b>ACTC</b>	Alameda County Transportation Commission	<b>PSR</b>	Project Study Report
<b>ACTIA</b>	Alameda County Transportation Improvement Authority (2000 Measure B authority)	<b>RM 2</b>	Regional Measure 2 (Bridge toll)
<b>ADA</b>	Americans with Disabilities Act	<b>RTIP</b>	Regional Transportation Improvement Program
<b>BAAQMD</b>	Bay Area Air Quality Management District	<b>RTP</b>	Regional Transportation Plan (MTC's Transportation 2035)
<b>BART</b>	Bay Area Rapid Transit District	<b>SAFETEA-LU</b>	Safe, Accountable, Flexible, Efficient Transportation Equity Act
<b>BRT</b>	Bus Rapid Transit	<b>SCS</b>	Sustainable Community Strategy
<b>Caltrans</b>	California Department of Transportation	<b>SR</b>	State Route
<b>CEQA</b>	California Environmental Quality Act	<b>SRS</b>	Safe Routes to Schools
<b>CIP</b>	Capital Investment Program	<b>STA</b>	State Transit Assistance
<b>CMAQ</b>	Federal Congestion Mitigation and Air Quality	<b>STIP</b>	State Transportation Improvement Program
<b>CMP</b>	Congestion Management Program	<b>STP</b>	Federal Surface Transportation Program
<b>CTC</b>	California Transportation Commission	<b>TCM</b>	Transportation Control Measures
<b>CWTP</b>	Countywide Transportation Plan	<b>TCRP</b>	Transportation Congestion Relief Program
<b>EIR</b>	Environmental Impact Report	<b>TDA</b>	Transportation Development Act
<b>FHWA</b>	Federal Highway Administration	<b>TDM</b>	Travel-Demand Management
<b>FTA</b>	Federal Transit Administration	<b>TEP</b>	Transportation Expenditure Plan
<b>GHG</b>	Greenhouse Gas	<b>TFCA</b>	Transportation Fund for Clean Air
<b>HOT</b>	High occupancy toll	<b>TIP</b>	Federal Transportation Improvement Program
<b>HOV</b>	High occupancy vehicle	<b>TLC</b>	Transportation for Livable Communities
<b>ITIP</b>	State Interregional Transportation Improvement Program	<b>TMP</b>	Traffic Management Plan
<b>LATIP</b>	Local Area Transportation Improvement Program	<b>TMS</b>	Transportation Management System
<b>LAVTA</b>	Livermore-Amador Valley Transportation Authority	<b>TOD</b>	Transit-Oriented Development
<b>LOS</b>	Level of service	<b>TOS</b>	Transportation Operations Systems
		<b>TVTC</b>	Tri Valley Transportation Committee
		<b>VHD</b>	Vehicle Hours of Delay
		<b>VMT</b>	Vehicle miles traveled



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**Directions to the Offices of the Alameda County Transportation Commission:**

**1333 Broadway, Suite 220  
Oakland, CA 94612**

**Public Transportation Access:**

**BART:** City Center / 12<sup>th</sup> Street Station

**AC Transit:**

Lines 1,1R, 11, 12, 13, 14, 15, 18, 40, 51, 63, 72, 72M, 72R, 314, 800, 801, 802, 805, 840

**Auto Access:**

- Traveling South: Take 11<sup>th</sup> Street exit from I-980 to 11<sup>th</sup> Street
- Traveling North: Take 11<sup>th</sup> Street/Convention Center Exit from I-980 to 11<sup>th</sup> Street
- Parking:  
City Center Garage –  
Underground Parking,  
(Parking entrances located on 11<sup>th</sup> or 14<sup>th</sup> Street)



**Alameda County  
Transportation Commission  
1333 Broadway, Suite 220  
Oakland, CA 94612**





**Alameda County Transportation Commission  
PLANNING, POLICY AND LEGISLATION COMMITTEE**

**MINUTES OF MARCH 14, 2011**

Chair Greg Harper convened the meeting at 11:02 AM.

**1. PLEDGE OF ALLEGIANCE**

**2. PUBLIC COMMENT**

There was no public comment.

**3. CONSENT CALENDAR**

**3A. Minutes of February 14, 2011**

A motion to approve the consent calendar was made by Mayor Green; a second was made by Mayor Kamena. The motion passed 6-0.

**4. PLANNING**

**4A Approval of the 2011 CMP Update: CMP issues review and recommendations**

Saravana Suthanthira stated that the Commission approved the schedule and issues for the 2011 CMP update at its January 27, 2011 meeting. Staff was directed to use this update as an opportunity to take a fresh look at transportation issues and identify ways to formulate strategies to better address congestion in Alameda County. Staff performed a comprehensive review of the CMP, the CMP legislation, and related activities of Alameda CTC, and identified potential areas of improvement. The recommendations were presented to ACTAC and the PPLC in February. ACTAC requested a comparison of CMPs of other CMAs in the Bay Area region in order to gain a better understanding of how others are implementing CMP elements. Three CMAs in the Bay Area region were compared: San Francisco County Transportation Authority (SFCTA), Santa Clara Valley Transportation Authority (VTA), and Contra Costa Transportation Authority (CCTA). Ms. Suthanthira presented various recommendations on the following elements: (1) LOS Standards; (2) Performance Measures and TDM; (c) Land Use Analysis Program; and (d) Infill Opportunity Zones. She requested the Committee to recommend that the Commission approve the proposed recommendations for the various elements of the Congestion Management Program (CMP) as part of the 2011 CMP update. After some discussion on land use analysis and priority development areas and infill development, the Committee emphasized that the criteria for the CMP roadway network should be reviewed periodically so that it adequately represents county-level and regionally significant travel routes and congested segments. The Committee also directed staff to develop partnerships with adjacent counties in terms of developing long term strategies for transportation improvements and reducing congestion. A motion to approve staff recommendation was made by Councilmember Henson; a second was made by Mayor Kamena. The motion passed 7-0.

**4B Review of Sustainable Community Strategy (SCS)/Regional Transportation Plan (RTP) and Countywide Transportation Plan (CWTP)/Transportation Expenditure Plan Information**

This item was for information only. Tess Lengyel stated that staff will submit monthly reports to ACTAC, PPLC, the Commission, and the four citizens committees to keep them updated on the regional and countywide planning activities and alert them about issues and opportunities requiring input in the near term and provide an opportunity for Committee feedback in a timely manner. Some of the highlights of the March 2011 update are: (a) MTC/Alameda CTC Call for Projects; (b) MTC Draft Committed Funding and Projects Policy, (c) an approach to developing financial forecast assumptions; (d) ABAG's release of the Initial Vision Scenario on March 11. (e) Update on SCS presentations to Council, and (f) Upcoming Meetings on Countywide and Regional Planning Efforts. She also said that all jurisdictions had a presentation on the Initial Vision Scenario and AC Transit will also have theirs this month. Results of the polling survey on the new Sales Tax Transportation Expenditure Plan will be presented to the CWTP-TEP Steering Committee on March 24<sup>th</sup>.

**4C. Update on the Sustainable Communities Strategy (SCS) Initial Vision Scenario**

Tess Lengyel reported that on March 11, 2011, ABAG and MTC released an Initial Vision Scenario which is an integral part of the development of the Bay Area Sustainable Communities Strategy. MTC and ABAG requested assistance from Congestion Management Agencies to assist in providing opportunities for all elected officials within the counties to receive information about and have the opportunity to comment on the county-specific components of the Initial Vision Scenario. To facilitate this request the Alameda CTC has scheduled the following meetings: (a) for Central County - March 16, 2011 at the San Leandro Library; (b) for South County - March 19, 2011 at the Newark Hilton; (c) North County - March 24 at the Alameda CTC Offices; (d) East County - March 24 at the Dublin Public Library; and (e) CWTP-TEP Technical Advisory Working Group - March 18 at the Hayward City Hall. Membership of this committee includes the Planning Directors for all Alameda County jurisdictions and will fulfill the ABAG/MTC/s Planner to Planner Briefing requirement. This item was for information only

Staff was directed to send a letter to MTC re

**4D. Update on and Request for Feedback on the Projects and Programs Call for the Regional and Countywide Transportation Plans**

Tess Lengyel requested the Committee to review and give feedback on a preliminary summary list of program types that could be submitted to MTC, and on the status of sponsorship and potential advancement of certain projects into the Regional Transportation Plan (RTP), which are in the currently adopted 2008 Countywide Transportation Plan. She said that the MTC-directed Call for Projects for the RTP and development of the SCS was released to Bay Area Congestion Management Agencies (CMA) on February 14, 2011, which delegated outreach, review and evaluation requirements to the CMAs. The Alameda CTC process for implementing the call for projects and programs was approved by the Commission on February 24, 2011, and the Call was released in Alameda County immediately thereafter. MTC's on-line application for project and program submissions became available on March 1, 2011. She also stated that at the Commission meeting last month, staff was directed to prepare a letter of recommendation to MTC on where the committed projects should fall. She informed the Committee that Art Dao has presented the letter to MTC. This item was for information only.

**4E. Approval of Amendment No. 1 to the On-Call Modeling Contract with Dowling Associates, Inc. and Extend Contract Expiration Date**

Saravana Suthanthira requested the Committee to recommend that the Commission approve Amendment No. 1 to the current professional services contract with Dowling Associates, Inc. to increase the contract amount by \$70,000 and to extend the contract period until January 30, 2012. She said that these actions are needed because of increased modeling needs for the purposes of the Countywide Transportation Plan and Expenditure Plan development and the Congestion Management Program update. A motion to approve staff recommendation was made by Councilmember Worthington; a second was made by Mayor Kamena. The motion passed 7-0. Director Harper suggested that if there is extra funding, staff should consider getting a statistician to give an error analysis to check on and identify ways to improve the accuracy of the model.

**5 LEGISLATION AND POLICY**

**5A. Legislative Update and Approval of Positions on Bills**

Tess Lengyel reported that the Budget Conference Committee has finalized its work and has submitted their report last week with the aim of achieving floor votes on the budget and trailer bills by March 10, 2011. The report supports re-enacting the gas tax swap and the use of weight fees instead of excise tax revenue for bond debt payments. There is on-going opposition for any taxes by the Assembly Republicans and this could challenge the reenactment of the gas tax swap and risk the loss of \$2.5 billion in fuel taxes starting in November 2011. On the federal update, she reported that Congress approved a two-week extension of the FY 2011 Continuing Resolution that will keep the federal government operating past the March 4<sup>th</sup> deadline. This extension included about \$4 billion in cuts. She also reported that the President released his proposed FY 2012 budget on February 14<sup>th</sup> which outlined priorities for the coming year as well as the reauthorization proposal. Both the FY 2012 and reauthorization proposal are very supportive of transportation funding and investments. She also requested the Committee to recommend that the Commission approve positions on the following:

- Support AB 57 (Beal) Metropolitan Transportation Commission
- Support AJR 5 (Lowenthal) Transportation revenues
- Support AB 1086 (Wieckowski) Transactions and use taxes: County of Alameda
- Support in concept the federal budget and surface transportation bill reauthorization proposal

A motion to recommend that the Commission approve staff recommendation was made by Councilmember Henson; a second was made by Mayor Kamena. The motion passed 7-0.

**6 STAFF AND COMMITTEE MEMBER REPORTS**

Staff did not have any report. Zack Wasserman, legal counsel, reported that there is a stakeholders meeting on March 17 from 2:00 pm to 3:30 pm at the Bay Area Council on BCDC's Bay Plan amendment. He added that significant progress is being made in developing a workable amendment.

**7 ADJOURNMENT/NEXT MEETING: MARCH 14, 2010**

The meeting was adjourned at 12:50 p.m.

Attest by:



Gladys V. Parmelee  
Clerk of the Commission



# PLANNING, POLICY AND LEGISLATION COMMITTEE MEETING

## ROSTER OF MEETING ATTENDANCE

March 14, 2011

11:00 a.m.

1333 Broadway, Suite 300, Oakland, CA 94612

BOARD MEMBERS	Initials	ALTERNATES	Initials
Chair : Greg Harper – AC Transit	<i>GH</i>	Elsa Ortiz – AC Transit	
Vice Chair: Olden Henson – City of Hayward	<i>OH</i>	Marvin Peixoto – City of Hayward	
Members:			
Scott Haggerty – County of Alameda, District 1	<i>SH</i>	Bill Harrison – City of Fremont	
Keith Carson – County of Alameda, District 5		Kriss Worthington – City of Berkeley	<i>Kriss W</i>
Marshall Kamena – City of Livermore	<i>(MK)</i>	Michael Gregory – City of San Leandro	
Jennifer Hosterman – City of Pleasanton	<i>JH</i>	Robert Franklin - BART	
Joyce Starosciak – City of San Leandro	<i>JS</i>	Pauline Russo Cutter – City of San Leandro	
Mark Green – City of Union City	<i>x MG</i>	Emily Duncan – City of Union City	
LEGAL COUNSEL	<i>REW</i>		
Zack Wasserman – WRBD			
Neal Parish – WRBD			
Geoffrey Gibbs - GLG			
STAFF			
Arthur L. Dao – Executive Director		<i>ad</i>	
Gladys Parmelee – Executive Assistant and Clerk of the Commission		<i>gpm</i>	
Beth Walukas – Manager of Planning			
Tess Lengyel – Programs and Public Affairs Manager		<i>Tess Lengyel</i>	
Victoria Winn – Administrative Assistant III		<i>V. Winn</i>	

STAFF	Initials	STAFF	Initials
Patricia Reavey - Director of Finance		Anees Azad – Manager of Finance & Admin.	
Yvonne Chan – Accounting Manager		Lei Lam – Senior Accountant	
Christina Muller –Administrative Manager		Arun Goel – Associate Transportation Engineer	AKG
Ray Akkawi – Manager of Project Delivery		Linda Adams – Executive Assistant	
Cyrus Minoofar - Manager of ITS		Liz Brazil – Contracts Administrator	
Matt Todd - Manager of Programming		Jacki Taylor – Programming Liaison	
Saravana Suthanthira - Senior Transportation Planner		Laurel Poeton – Engineering Assistant	LP
Diane Stark -Senior Transportation Planner	DS	Vicki Winn – Administrative Assistant III	
Vivek Bhat – Senior Transportation Engineer	VB	Libby Hendrickson – Administrative Assistant II	
John Hemiup – Senior Transportation Engineer		Myrna Portillo – Administrative Assistant I	
Steve Haas – Senior Transportation Engineer		Claudia Leyva – Administrative Assistant III	
Bijan Yarjani – Senior Transportation Engineer			

NAME	JURISDICTION/ ORGANIZATION	PHONE #	E-MAIL
1. Dawn Argola	ALA Co BUS#1	925-551-6995	dawn.argola@agco.org
2. Nathan Gordon	AC TRANSIT	510-891-4792	nlgordon@actransit.org
3. Bob Vinn	Livermore	925-960 4516	
4. <del>Sharon Ann Powers</del>	<del>APCO</del>	979-9160	
5. JEBorn	ALCTC PCT-Actia	(510) 203-7464	jborn@alctc.com
6. Kody Marshall	APCO	510 325 0703	
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## Memorandum

**DATE:** March 14, 2011

**TO:** Planning, Policy and Legislation Committee (PPLC)

**FROM:** Laurel Poeton, Engineering Assistant

**SUBJECT:** **Receive Report on Environmental Documents/General Plan Amendments Reviewed**

### Recommendation

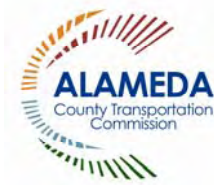
This item is for information only. No action is requested.

### Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program (CMP). For the LUAP, Alameda CTC staff is required to review and comment on Notices of Preparation (NOP), General Plan Amendments (GPA), and Environmental Impact Reports (EIRs) that are submitted and report to the Board on comments made.

In February and March of 2011, staff reviewed no documents and therefore, no comments were submitted.

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## Memorandum

**DATE:** March 29, 2011

**TO:** Planning, Policy and Legislation Committee

**FROM:** Saravana Suthanthira, Senior Transportation Planner

**SUBJECT:** Approval of 2011 Congestion Management Program (CMP) Update: Recommendations for the CMP Level of Service Standards regarding Roadway Network and Multimodal Level of Service

### Recommendations

It is recommended that the Commission provide input on two options for revising and re-evaluating the threshold for including roadways as principal arterials on the CMP network and a process for using multi-modal level of service standards for CMP purposes. Based on input received from ACTAC and the Plans, Policy and Legislation Committee, staff will revise Chapters 2 (Designated Roadway System) and 6 (Land Use Analysis Program).

### Summary

As required by state mandate, Alameda CTC, in its role as the congestion management agency for Alameda County, is updating the Congestion Management Program (CMP). The schedule and issues for the 2011 CMP update were approved by the Commission at its January 27, 2011 meeting. Based on the direction from the Commission, staff performed a comprehensive review of each of the current CMP elements, the CMP legislation, and related activities of Alameda CTC, and identified potential areas for improvement and presented recommendations for next steps to ACTAC and Planning Policy and Legislation Committee in February 2011. The approach for updating various elements of the CMP, including a comparison with three other Bay Area congestion management agencies (Santa Clara Valley Transportation Authority; San Francisco County Transportation Authority; and Contra Costa County Transportation Authority), was approved by the Commission at its March 24, 2011 meeting. This item focuses on the update of the CMP Level of Service Standards Element. Specifically, input is sought on two options for revising and re-evaluating the threshold for including roadways as principal arterials on the CMP network and a process for using multi-modal level of service standards for CMP purposes. Based on input received from ACTAC and the Planning, Policy and Legislation Committee, staff will revise Chapters 2 (Designated Roadway System) and 6 (Land Use Analysis Program). The draft CMP will be distributed in July.

### Discussion

#### CMP Roadway Network

In March 2011, staff was directed to explore two options for determining if new roadways should be added as principal arterials to the CMP roadway network:

- Option 1: Re-evaluate and revise as appropriate the original 30,000 average daily traffic (ADT) threshold criteria for selecting principal arterials on the CMP network and apply the new criteria to identify new roadways.
- Option 2: Develop a set of qualitative criteria and using those criteria, identify new roadways to be included and surveyed. Roadways identified using the qualitative criteria would be monitored for informational purposes only (similar to how the a.m. peak period is monitored now) and would not be used in the conformity findings process. The qualitative criteria policy would be reviewed periodically.

Additionally, staff was directed to explore:

- Developing a policy for Commission adoption that gives funding preference to deficient segments identified in the biennial Level of Service Monitoring.

As shown above, two options were approved for updating the CMP roadway network.

*Option 1 – Re-evaluate original 30,000 average daily traffic threshold*

While the statutes require existing state highways be designated as part of the CMP system, they provide no guidance for which principal arterials should be included. After evaluating several possible methods, the 1991 CMP adopted an approach that provided for the systematic selection of principal arterials to include in the CMP-network.

The selected approach, which met MTC's expectations for a "reasonable" CMP network designation method, relies on a concept that is central to the CMP legislation—identifying a system that carries a majority of the vehicle trips countywide. Using the countywide travel model, an average daily traffic volume was identified that would produce a system of roadways carrying at least 70 percent of the vehicle miles traveled (VMT) countywide. This approach yielded an average daily traffic of roughly 30,000 vehicles per day as a minimum threshold. Additional criteria were included to refine the definition and to determine whether a roadway should be included on the CMP network as a principal arterial are:

1. Must carry 30,000 average daily traffic (ADT) for at least one mile;
2. Must be a roadway with four or more lanes;
3. Must be a major cross-town connector, traversing from one side of town to the opposite side; and
4. Must connect at both ends to another CMP route, unless the route terminates at a major activity center.

For this review, only the 30,000 average daily traffic threshold is being re-evaluated. The additional principal arterial criteria shown for designating principal arterial roadways are still applicable and are not recommended for revision.

The following table shows the results from the countywide travel model for the 2005 horizon year for three ranges of average daily traffic thresholds and the corresponding percent Vehicle Miles Travelled (VMT).

*Table 1 - Range of average daily traffic (ADT) thresholds for Alameda County roadway network and corresponding vehicle miles traveled (VMT)*

<b>ADT Threshold</b>	<b>Total VMT</b>	<b>% of Total Countywide VMT</b>
Total Alameda County (Vehicles Daily)	35,962,936	100%
Two Way ADT>20,000 (Vehicles Daily)	29,083,686	81%
Two Way ADT>30,000 (Vehicles Daily)	26,456,097	74%
Two Way ADT>40,000 (Vehicles Daily)	24,380,694	68%

Figures 1 thru 3 show the corresponding roadway network for the roadways meeting the 20,000 thru 40,000 ADT thresholds.

The countywide travel model results presented in Table 1 above show that although traffic volumes have increased on the county roadways since the original threshold was established, the threshold for carrying approximately 70 percent of the countywide VMT is still 30,000 average daily traffic. While the 30,000 average daily traffic threshold has remained unchanged, there have been some shifts in the specific roadways that carry the high volume of traffic, likely due to the growth or change in land development in the county since 1991. Figures 4 thru 7 and Table 2 show the results for the entire CMP roadway network, including the new segments that meet the average daily traffic threshold for the first time and the existing segments that no longer meet the 30,000 average daily traffic threshold. These figures 4 thru 7 and the Table 2 also distinguish whether the new segments meet the minimum one mile distance criteria for principal arterials. Since the CMP legislation does not permit any roadways included in the CMP network to be removed, the current CMP roadways identified as not meeting the average daily traffic threshold are presented for informational purposes only.

If this option is selected as the method for determining principal arterials for the CMP roadway network, the new roadways will be evaluated using the all principal arterial criteria to develop the final list of new CMP segments that will serve as the updated Alameda County CMP roadway network. Because this initial assessment was done using the countywide travel demand model, additional data collection will need to be done on the potential new roadway segments to verify with actual traffic counts that the threshold is met before adding it to the CMP network. If this option is selected, it is also recommended that a policy be developed for Commission adoption that could give funding preference at the discretion of local jurisdictions to deficient segments identified in the biennial Level of Service Monitoring program.

*Option 2 – Develop a two-tiered roadway network based on Qualitative Criteria*

To address local staff's concern that expanding the CMP roadway network could potentially be a financial burden if the roadway is identified as deficient in the biennial Level of Service Monitoring

program, a second option was developed that is similar to the approach used by the San Francisco County Transportation Authority. This second option results in a two-tiered roadway network based on the existing CMP roadway network as defined by the original criteria and a supplemental roadway network based on an agreed upon set of qualitative criteria. The supplemental CMP roadway network would be monitored during the Level Of Service monitoring period for informational purposes only.

Three criteria are suggested to determine whether a roadway is included on the supplemental roadway network. These criteria are based on SFTCA's criteria for their CMP network:

- Major thoroughfares, not on the existing CMP network, whose primary function is to link districts within an Alameda County jurisdiction and to distribute traffic from and to the freeways
- Routes of jurisdiction-wide significance with varying capacity that are not on the existing CMP network
- Streets that experience significant conflicts between auto traffic and transit service

If this qualitative criteria approach is approved, Alameda CTC staff will work with the individual jurisdictions in Alameda County to identify roadways that meet the above criteria.

Recommendations:

1. Approve Option 1 or Option 2. Based on the selected option, staff will develop a revised list of CMP roadways that will be brought for Committee approval in May.
2. Identify new roadways meeting the approved criteria. This is required to be done every four years. If Option 1 is used, the new roadways will be identified based on traffic counts collected by the jurisdictions or by Alameda CTC. The data will be first collected during the 2012 Level Of Service monitoring cycle as an additional task.
3. Adopt a policy for giving funding priority at the discretion of the local jurisdictions to improve the deficient segments identified through the biennial Level of Service Monitoring program. A policy will be developed and brought to the Committees in June.

**Multimodal Level of Service (LOS) Standards**

In the 2009 CMP Update, the need to take into account trips made by modes other than automobile was identified and staff was directed to explore the use of the multi-modal level of service standards for the CMP purposes. The level of service standards is used in two elements of the CMP – LOS Monitoring and the Land Use Analysis Program. Staff believes there is benefit to using a multi-modal level of service to supplement existing service level methodologies and proposes the following process for moving in this direction.

A review of the CMP legislation shows that that roadways are required to be monitored for auto level of service in the Level of Service Monitoring program with LOS E or the 1991 LOS level, if worse, as the threshold. The CMP legislation further requires using the most recent Highway Capacity Manual (HCM) or alternative adopted methodology consistent with the HCM for the LOS standards. The most recent HCM is 2000 HCM manual and the release of 2010 HCM is expected in April 2011. For the purposes of implementing the LOS Monitoring Program, the Alameda CTC



uses the 1985 HCM manual, which was reviewed and reapproved in the 2007 CMP Update in view of certain inconsistencies observed in the 2000 HCM for the arterial categories compared to what has been used in the LOS Monitoring Study to date. It was further recommended that when the 2010 HCM is released, this policy should be re-evaluated against the 2010 HCM methodologies and assumptions. Because the 2010 HCM is not released yet, it is recommended that this will be explored in the next 2013 CMP Update.

For the Land Use Analysis Program, the legislation recommends assessing impacts to the county transportation system by using multimodal performance measures adopted by the congestion management agency (Alameda CTC in Alameda County) and estimating quantitative impacts using the countywide travel demand model. For this purpose, the Alameda County CMP follows the most current HCM, which is the 2000 HCM manual. As described above, the 2010 HCM is expected to include multi-modal level of service standards. Therefore, it will be appropriate to explore using the 2010 HCM for the Land Use Analysis Program in the 2013 CMP Update. Also, the multi-modal performance measures that are adopted in the Performance Measures Element of the CMP and used in the Land Use Analysis Program are being updated as part of the 2012 Countywide Transportation Plan update. It is expected that the newly developed performance measures will be more reflective of the current increased legislative focus on the connection of transportation and land use and are expected to be integrated into future CMPs. Upon any update to the multimodal performance measures element, the standard Alameda CTC response letter template for Notices of Preparation (NOP) that the Alameda CTC uses for responding to environmental documents under the Land Use Analysis Program, will need to be appropriately updated.

Further, as presented in March meeting regarding the comparison with other three CMAs' CMP in the region, SFCTA is proposing to replace the current auto focused level of service (LOS) measure with a net new Automobile Trips Generated (ATG) measure for the purposes of the land use analysis program. If implemented, projects that generate automobile trips would pay new Auto Trip Mitigation Fee (ATMF) that would fund projects designed to address environmental impacts caused by the projects. A nexus study for this purpose is underway. Similar to SFCTA, Alameda CTC could explore moving towards using a net new Automobile Trips Generated (ATG) measure for the purposes of the land use analysis program

Recommendations:

- As part of the 2013 CMP Update, explore using the 2010 HCM for the purposes of Level of Service Monitoring element regarding the roadway standards and for the purposes of Land Use Analysis Program element regarding the multi-modal roadway standards.
- Upon updating the multi-modal performance measures based on the measures developed for the 2012 CWTP update, modify the NOP Response letter template appropriately to reflect the current focus on the increased transportation and land use connection and multi-modal performance of the transportation system.
- Begin exploring the option for moving towards using a net new Automobile Trips Generated (ATG) measure similar to SFCTA for the Land Use Analysis Program impact analysis purposes. A feasibility study could be conducted as the first step and results could be presented as part of the 2013 CMP Update.

**Fiscal Impact**

None

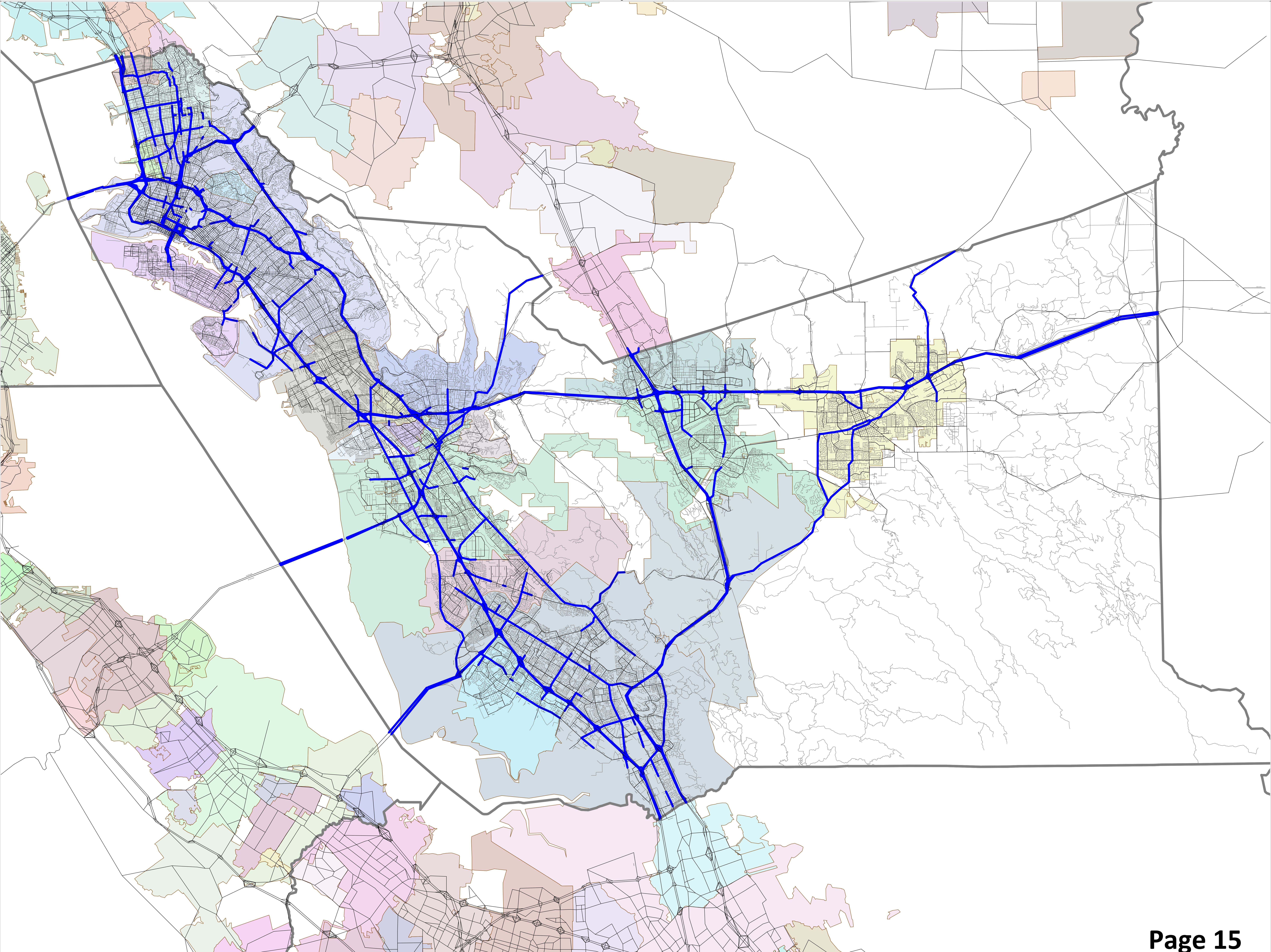
**Attachments**

Attachment A: Figures 1 through 3 – Roadways segments meeting 20,000, 30,000 and 40,000 ADT thresholds respectively

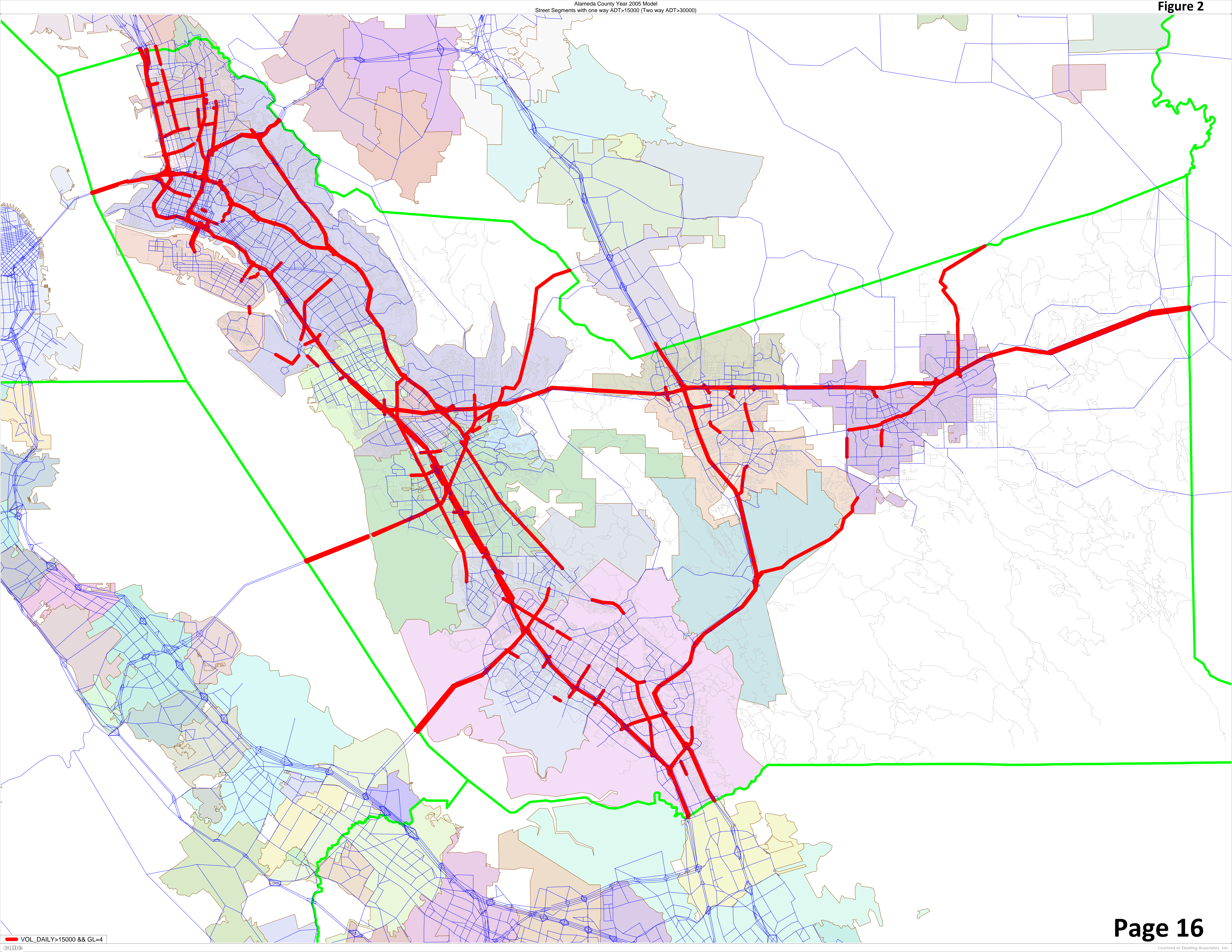
Attachment B: Figures 4 through 7 - Roadways meeting the 30,000 ADT thresholds in Planning Areas 1 through 4 respectively

Attachment C: Table 2 –CMP Roadway Segments – Existing and Potential

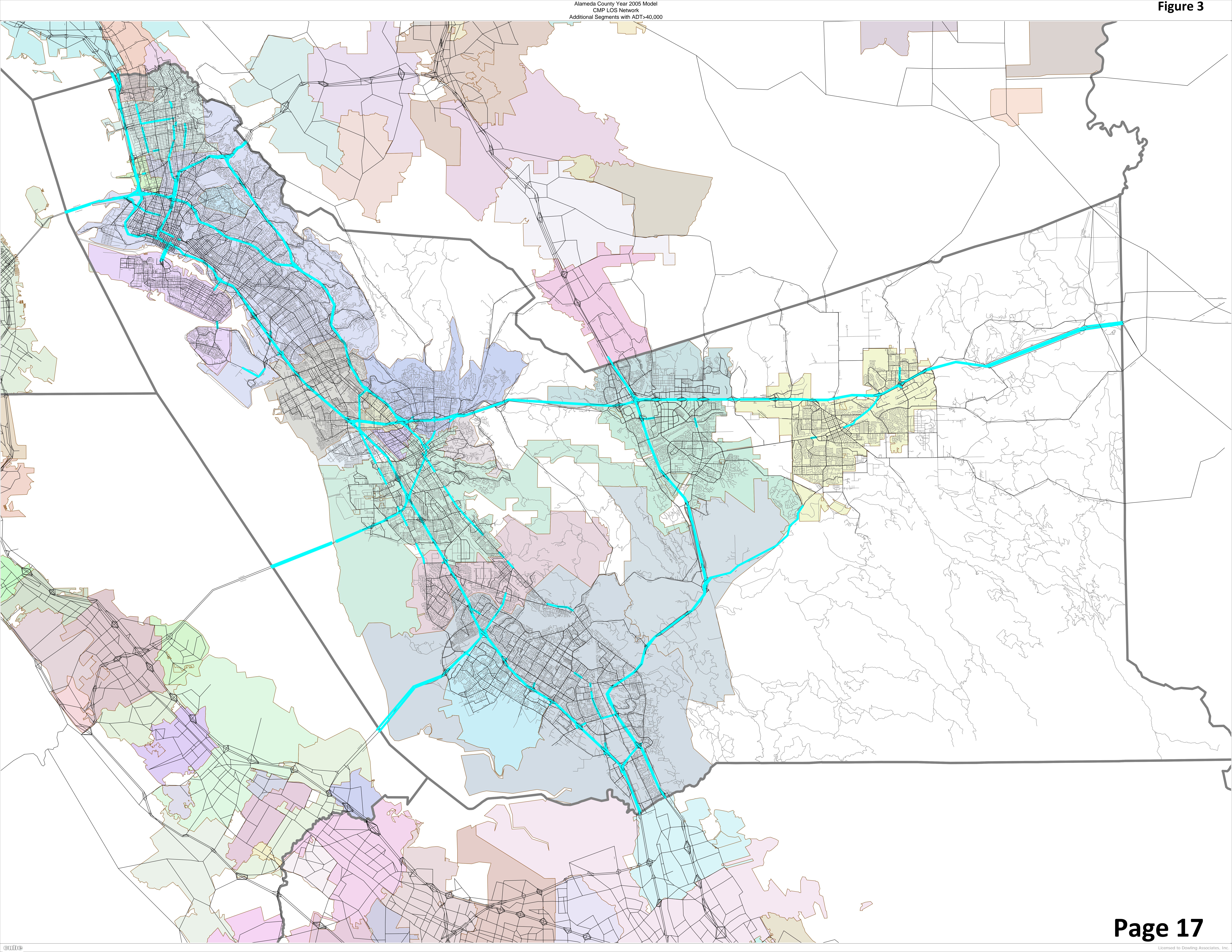








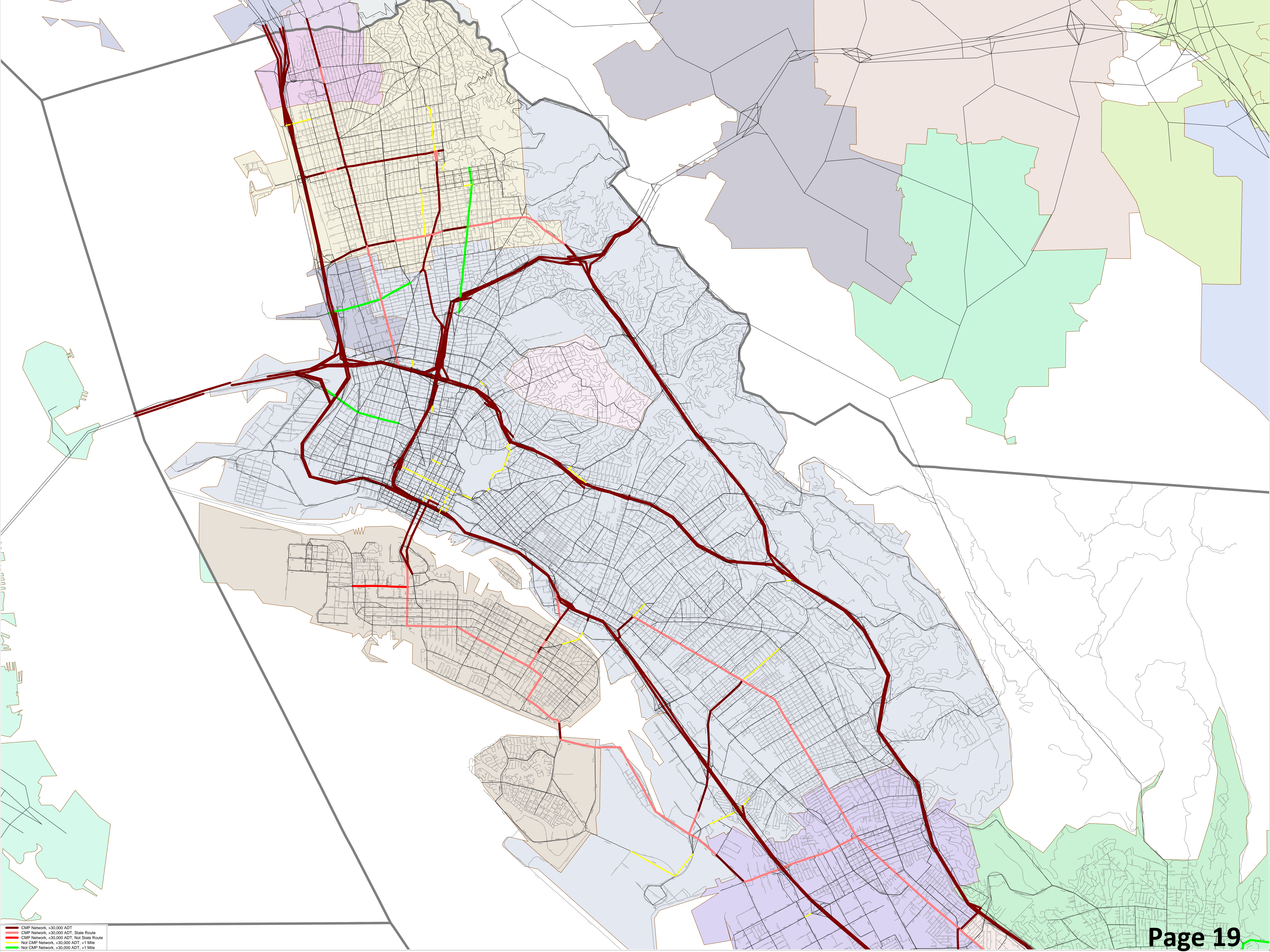






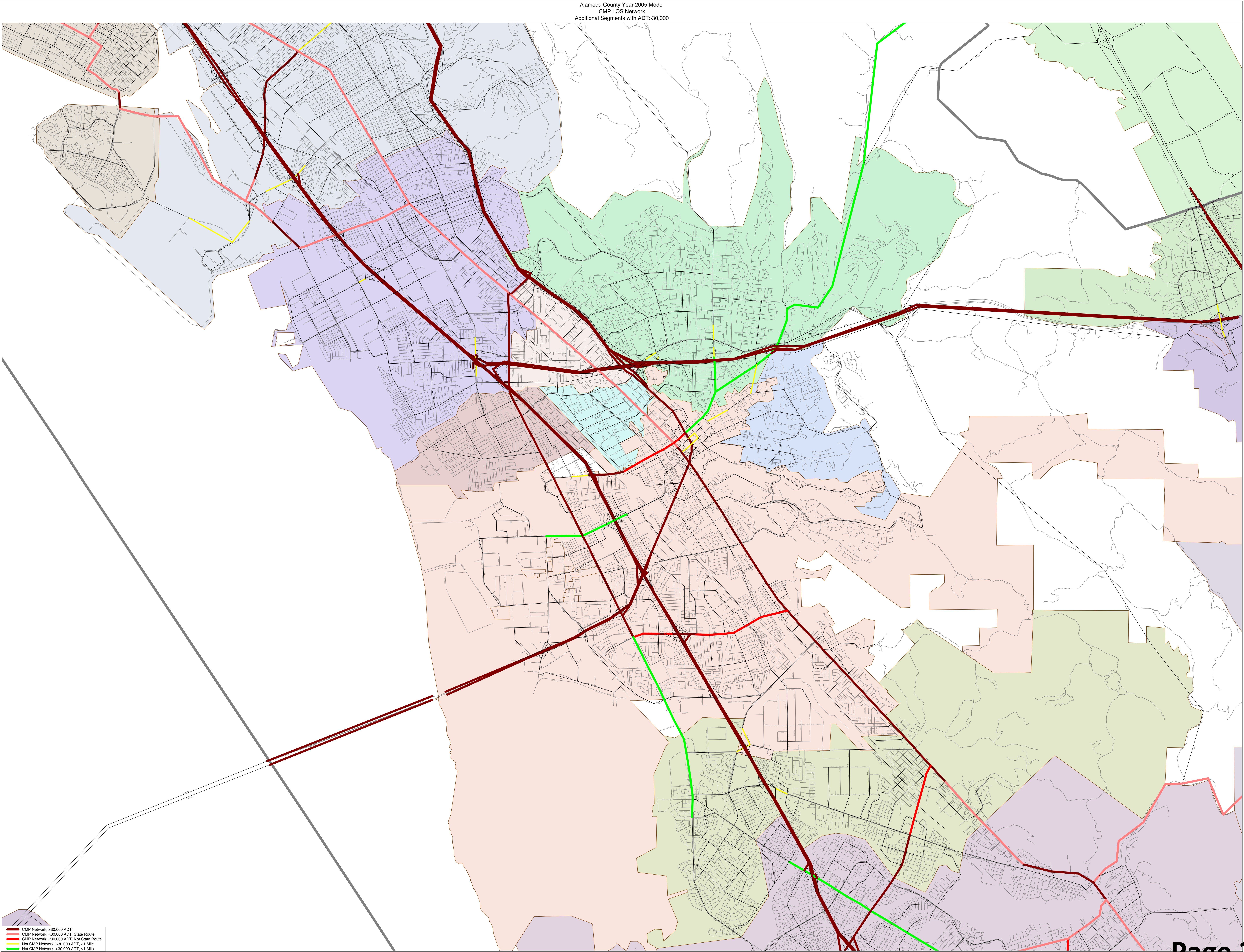
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- CMP Network, >30,000 ADT
- CMP Network, <30,000 ADT, State Route
- CMP Network, <30,000 ADT, Not State Route
- Not CMP Network, >30,000 ADT, <1 Mile
- Not CMP Network, >30,000 ADT, >1 Mile







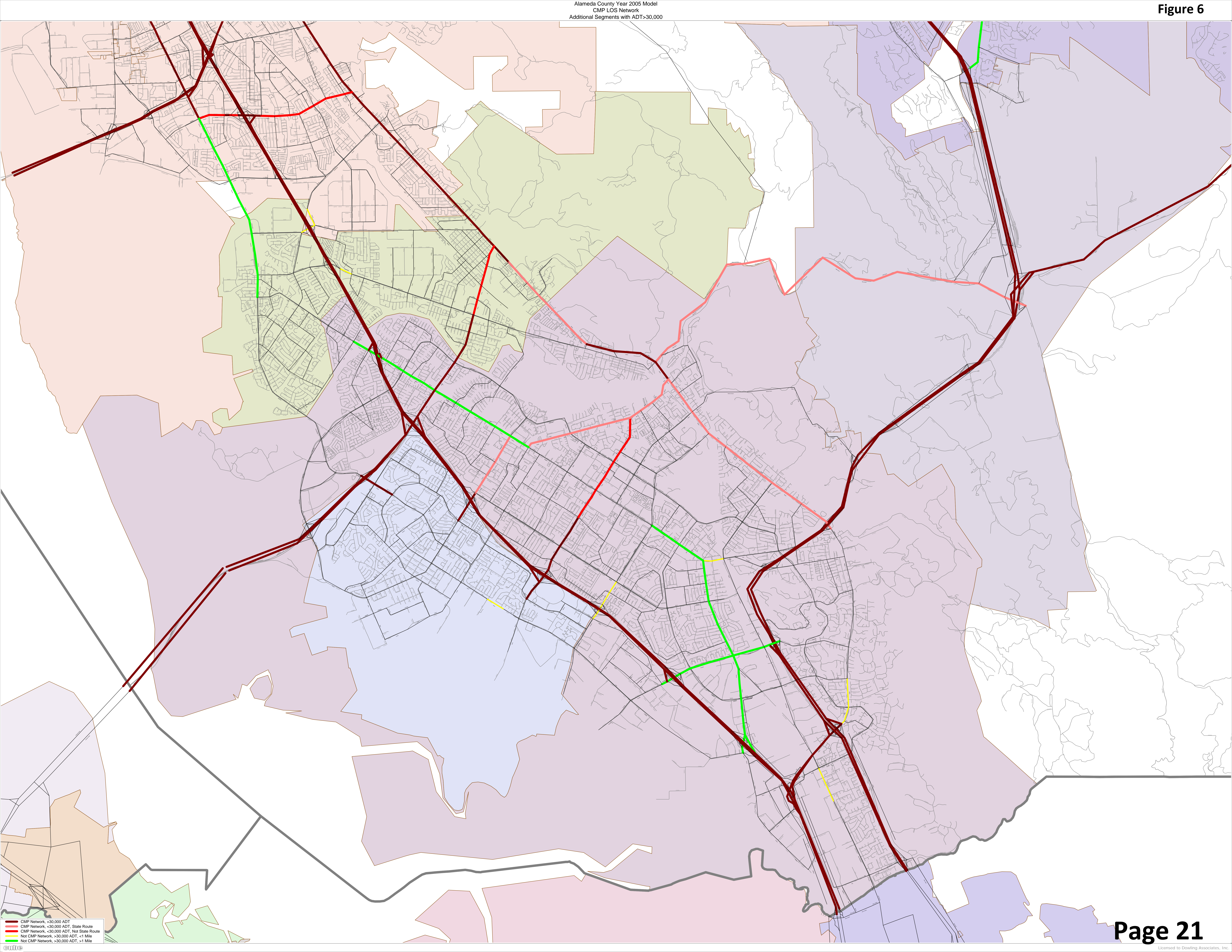
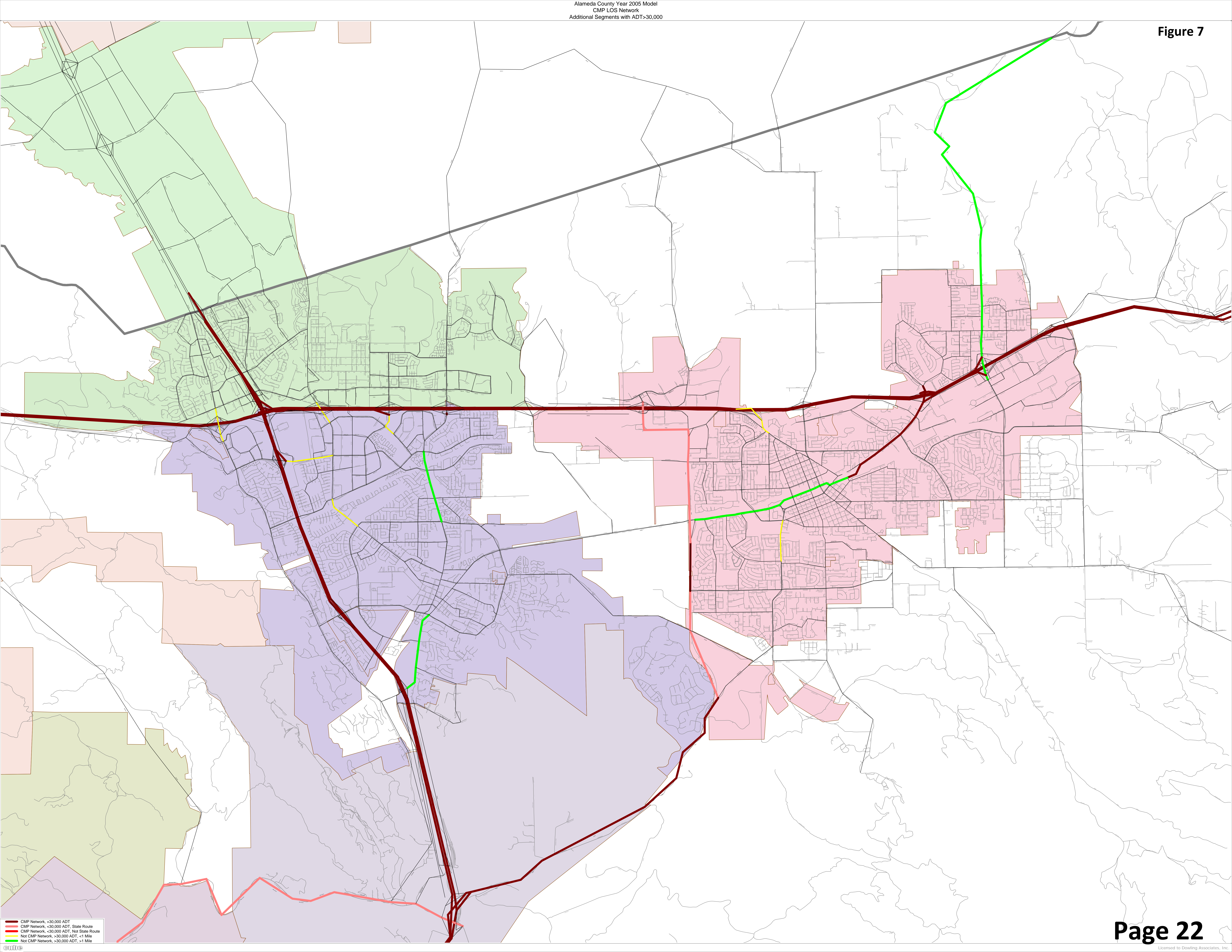




Figure 7





**Table 2 CMP ROADWAY SEGMENTS - Existing and Potential  
Comparison of CMP List with 2005 Travel Model Volumes**

	Segment would not meet criteria with 2005 model volumes				
	Additional segment would meet criteria with 2005 model volumes				
Route	From	To	Criteria	2005 Model >30,000 ADT	Segment Distance
<b>CITIES OF ALBANY AND BERKELEY</b>					
SR-123 (San Pablo)	Contra Costa County line	Emeryville city limit	State Route	Yes	
University Ave.	I-80	Milvia St.	Satisfies criteri	Yes	
University Ave.	Milvia St.	Shattuck Ave.	Connectivity	Yes	
Shattuck Ave.	University Ave.	Haste St.	Connectivity	Yes	
Shattuck Ave.	Haste St.	Derby St.	Satisfies criteri	Yes	
Adeline St.	Derby St.	MLK Jr. Way	Satisfies criteri	Yes	
MLK Jr. Way	Adeline St.	Oakland city limit	Satisfies criteri	Yes	
<b>I-80-Sacramento Shattuck-Telegraph only</b>					
SR-13 (Ashby Ave)	I-80	Tunnel Rd.	State Route	NO	
SR-13 (Tunnel Rd)	Ashby Ave.	Oakland city limit	State Route	NO	
I-80/I-580	University	Central	State Route	Yes	
Telegraph Ave.	Bancroft Ave.	Oakland city limit	NOT CMP NET	Yes	1.1
<b>CITY OF ALAMEDA</b>					
SR-61 (Doolittle Dr.)	Oakland city limit	Fernside Blvd.	State Route	Bridge only	
SR-61 (Otis Dr.)	Fernside Blvd.	SR-61 (Broadway)	State Route	NO	
SR-61 (Broadway)	Otis Dr.	SR-61 (Encinal Ave.)	State Route	NO	
SR-61 (Encinal Ave.)	SR-61 (Broadway)	Sherman St.	State Route	NO	
SR-61 (Central Ave.)	Sherman St.	SR-260 (Webster St.)	State Route	NO	
SR-260 (Webster St.)	SR-61 (Central Ave.)	Posey/Webster tubes	State Route	Yes	
SR-260 (Posey/Webster tubes)	SR-260 (Webster St.)	Oakland city limit	State Route	Yes	
Atlantic Ave.	SR-260 (Webster St.)	Poggi St.	Satisfies criteri	NO	
Atlantic Ave.	Poggi St.	Main St.	Connectivity	NO	
Park St.	Oakland city limit	Central Ave.	Satisfies criteri	Yes	
Park St.	Central Ave.	SR-61 (Encinal Ave.)	Connectivity	NO	
<b>CITIES OF EMERYVILLE, OAKLAND AND PIEDMONT</b>					
MLK Jr. Way	Berkeley city limit	SR-24	Satisfies criteri	Yes	
SR-123 (San Pablo)	Berkeley city limit	35th St.	State Route	NO	
SR-13 (Tunnel Rd.)	Berkeley city limit	SR-24	State Route	Yes	
SR-260 (Posey/Webster tubes)	Alameda city limit	I-880	Satisfies criteri	Yes	
23rd/29th Ave.	Alameda city limit	I-880	Satisfies criteri	Yes	
SR-77 (42nd Ave.)	I-880	SR-185 (E. 14th St.)	State Route	Yes	
SR-185 (E. 14th St.)	SR-77 (42nd Ave.)	San Leandro city limit	State Route	NO	
Hegenberger Rd.	I-880	Doolittle Dr.	Satisfies Criteri	I-880-Swan only	
Hegenberger Rd.	I-880	Hawley St.	Connectivity	Yes	
Hegenberger Rd.	Hawley St.	SR-185 (E. 14th St.)	Satisfies criteri	Yes	
SR-61 (Doolittle Dr.)	Alameda city limit	San Leandro city limit	State Route	NO	
SR-13	SR-24	I-580	State Route	Yes	
SR-24	I-980	Contra Costa County line	State Route	Yes	
I-80	SF County Line	University Ave.	State Route	Yes	
I-580	I-80	MacArthur Blvd.	State Route	Yes	
I-880	I-980	Hegenberger Rd.	State Route	Yes	
I-980	I-880	SR-24	State Route	Yes	
Telegraph Avenue	52nd St.	Berkeley City Limit	NOT CMP NET	Yes	1.0
West Grand Avenue	Maritime	Market	NOT CMP NET	Yes	1.3
Powell St.	I-80	Market St.	NOT CMP NET	Yes	1.3
<b>CITY OF SAN LEANDRO</b>					
SR-61 (Doolittle Dr.)	Oakland city limit	SR-61/112 (Davis St.)	State Route	Yes	
SR-61/112 (Davis St.)	SR-61 (Doolittle Dr.)	SR-185 (E. 14th St.)	State Route	NO	
SR-185 (E. 14th St.)	Oakland city limit	Ashland (unincorp.)	State Route	NO	
150th Ave.	Hesperian Blvd.	I-580	Satisfies criteri	Yes	
Hesperian Blvd.	SR-185 (E. 14th St.)	San Lorenzo (unincorp.)	Satisfies criteri	Yes	
I-880	Hegenberger Ave.	I-238	State Route	Yes	
I-580	MacArthur Blvd.	I-238	State Route	Yes	

**Table 2 CMP ROADWAY SEGMENTS - Existing and Potential  
Comparison of CMP List with 2005 Travel Model Volumes**

	Segment would not meet criteria with 2005 model volumes				
	Additional segment would meet criteria with 2005 model volumes				
Route	From	To	Criteria	2005 Model >30,000 ADT	Segment Distance
SAN LORENZO, CASTRO VALLEY, ASHLAND (unincorporated areas)					
SR-185 (Mission Blvd.)	San Leandro city limit	Hayward city limit	State Route	NO	
Hesperian Blvd.	San Leandro city limit	Hayward city limit	Satisfies criteri	Yes	
SR-238 (Foothill Blvd.)	I-238	Hayward city limit	State Route	Yes	
I-880	I-238	A Street	State Route	Yes	
I-238	I-880	I-580	State Route	Yes	
I-580	I-238	I-680	State Route	Yes	
Redwood Rd./A St.	Foothill Blvd.	I-580	NOT CMP NET	Yes	1.3
Crow Canyon Rd.	I-580	Contra Costa Co. line	NOT CMP NET	Yes	7.0
Grove Rd.	I-580	Redwood Rd.	NOT CMP NET	Yes	1.0
CITY OF HAYWARD					
SR-185 (Mission Blvd.)	Ashland (unincorporated)	SR-92 (Jackson St.)	State Route	NO	
SR-92 (Jackson St.)	I-880	SR-185 (Mission Blvd.)	State Route	Yes	
SR-238 (Foothill Blvd.)	Ashland (unincorporated)	SR-185 (Mission Blvd.)	State Route	Yes	
SR-238 (Mission Blvd.)	SR-92 (Jackson St.)	Union City city limit	State Route	Yes	
A Street	I-880	SR-238 (Foothill Blvd.)	Satisfies criteri	NO	
Hesperian Blvd.	San Lorenzo (unincorporated)	Tennyson Rd.	Satisfies criteri	Yes	
Tennyson Rd.	Hesperian Blvd.	SR-238 (Mission Blvd.)	Satisfies criteri	NO	
SR-92	San Mateo County line	I-880	State Route	Yes	
I-880	A Street	Alvarado-Niles	State Route	Yes	
Winton	I-880	Clawiter	NOT CMP NET	Yes	1.3
Hesperian Blvd.	Tennyson Rd.	Union City city limit	NOT CMP NET	Yes	1.7
CITIES OF UNION CITY, FREMONT AND NEWARK					
				Hayward City Limit- Decoto Nursery-Mowry	
SR-238 (Mission Blvd.)	Hayward city limit	I-680	State Route		
Decoto Rd.	I-880	SR-238 (Mission Blvd.)	Satisfies criteri	I-880-Alvarado Niles only	
Mowry Ave.	I-880	SR-84 (Peralta Blvd.)	Satisfies criteri	I-880-Logan only	
SR-262 (Mission Blvd.)	I-880	I-680	State Route	Yes	
SR-84 (Thornton Ave.)	I-880	Fremont Blvd.	State Route	NO	
SR-84 (Fremont Blvd.)	SR-84 (Thornton Ave)	SR-84 (Peralta Blvd.)	State Route	Yes	
SR-84 (Peralta Blvd.)	SR-84 (Fremont Blvd.)	SR-84 (Mowry Ave.)	State Route	NO	
SR-84 (Mowry Ave.)	SR-84 (Peralta Blvd.)	SR-238 (Mission Blvd.)	State Route	NO	
SR-84 (Niles Canyon)	SR-238 (Mission Blvd.)	I-680	State Route	NO	
SR-84	San Mateo County line	I-880	State Route	Yes	
I-880	Alvarado-Niles	Dixon Landing	State Route	Yes	
I-680	Scott Creek	SR-238	State Route	Yes	
Union City Blvd.	Hayward city limit	Alvarado Blvd.	NOT CMP NET	Yes	1.2
Fremont Blvd.	Lowry	Thornton Ave.	NOT CMP NET	Yes	3.1
Fremont Blvd.	I-880	Stevenson Blvd.	NOT CMP NET	Yes	3.7
Durham/Auto Mall Pkwy.	I-880	I-680	NOT CMP NET	Yes	1.9
CITIES OF PLEASANTON, DUBLIN, LIVERMORE AND UNINCORPORATED AREAS					
SR-84 (Vallecitos)	I-680	SR-84 (Isabel Ave.)	State Route	Yes	
SR-84 (Isabel Ave.)	SR-84 (Vallecitos Rd.)	SR-84 (Kitty Hawk Rd.)	State Route	NO	
SR-84 (Kitty Hawk Rd.)	SR-84 (Isabel Ave.)	SR-84 (Airway Blvd.)	State Route	NO	
SR-84 (Airway Blvd.)	SR-84 (Kitty Hawk Rd.)	I-580	State Route	NO	
1st Street	Inman St.	I-580	Satisfies criteri	Yes	
I-580	I-680	I-205	State Route	Yes	
I-680	SR-238	Alcosta Blvd.	State Route	Yes	
Sunol	I-680	Bernal	NOT CMP NET	Yes	1.2
Santa Rita Rd.	Las Positas Rd.	Valley	NOT CMP NET	Yes	1.1
Stanley Rd.	SR 84 (Isabel Ave.)	1st St.	NOT CMP NET	Yes	1.3
Vasco Rd.	I-580	Contra Costa Co. line	NOT CMP NET	Yes	5.7





## Memorandum

**DATE:** March 31, 2011

**TO:** Planning, Policy and Legislation Committee

**FROM:** Beth Walukas, Manager of Planning  
Tess Lengyel, Manager of Programs and Public Affairs

**SUBJECT:** **Review of Sustainable Community Strategy (SCS)/Regional Transportation Plan (RTP) and Countywide Transportation Plan (CWTP)/ Transportation Expenditure Plan Information**

### Recommendation

This item is for information only. No action is requested. Highlights include an update on the Association of Bay Area Governments (ABAG) process for seeking input on their recently released Initial Vision Scenario and on the implementation of the CWTP and RTP Call for Projects and Programs. Staff is developing a draft master list of projects and programs received to date, which will be distributed at the meeting for information.

### Summary

This item provides information on regional and countywide transportation planning efforts related to the updates of the Countywide Transportation Plan and Sales Tax Transportation Expenditure Plan (CWTP-TEP) as well as the Regional Transportation Plan (RTP) and the development of the Sustainable Community Strategy (SCS).

### Discussion

ACTAC; the Planning, Policy and Legislation Committee (PPLC); the Alameda CTC Board; the Citizen's Watchdog Committee; the Paratransit Advisory and Planning Committee; the Citizen's Advisory Committee; and the Bicycle and Pedestrian Advisory Committee receive monthly updates on the CWTP-TEP and RTP/SCS. The purpose of this report is to keep various Committee and Working Groups updated on regional and countywide planning activities, alert Committee members about issues and opportunities requiring input in the near term, and provide an opportunity for Committee feedback in a timely manner. CWTP-TEP Committee agendas and related documents are available on the Alameda CTC website. RTP/SCS related documents are available at [www.onebayarea.org](http://www.onebayarea.org).

### April 2011 Update:

This report focuses on the month of April 2011. A summary of countywide and regional planning activities for the next three months is found in Attachment A and a three year schedule for the countywide process and the regional process is found in Attachment B and Attachment C respectively. Highlights include MTC/Alameda CTC Call for Projects and Programs and the process

for moving from the recently released Initial Vision Scenario to the Detailed Scenarios that are scheduled to be released in July.

### *1) MTC/Alameda CTC Call for Projects and Programs*

The concurrent Call for Projects and Programs was released on February 25, 2011. Project/program applications are due to Alameda CTC by **April 12, 2011**, so they can be screened and a preliminary list of CWTP projects and programs developed. A draft list of projects and programs recommended for inclusion in the RTP is due to MTC by **April 29, 2011**. The Draft list of projects and programs will be presented to Alameda CTC committees in May culminating in a public hearing at the **May 26, 2011** CWTP-TEP Steering Committee meeting with a recommendation for approval by the Commission on the same day. The final list is due to MTC on **May 27, 2011**. Staff has received input on transportation needs from the public in February and March at five public meetings held throughout the County and through the Alameda CTC administrative and advisory committee meetings. Staff is developing a master list of projects and programs received to date, which will be distributed at the meeting.

### *2) Release of Initial Vision Scenario and Development of Detailed Scenarios*

On March 11, 2011, ABAG released the Initial Vision Scenario representing the starting point for discussion for how to house the region's population and meet sustainability goals. The Initial Vision Scenario was presented to Alameda County elected officials at four meetings throughout the County between March 16 and March 24, 2011 and to the Technical Advisory Working Group, including the Alameda County Planning Directors, on March 18, 2011. ABAG and MTC are seeking input on the Initial Vision Scenario between now and June 2011 to use in the development of Detailed Scenarios, which are anticipated to be released in **July 2011**. In addition to providing input on the development of the Detailed Scenarios through the CWTP-TEP Committees, a public workshop, hosted by MTC and ABAG, is being scheduled in **May**. Alameda CTC is working with Supervisorial Districts 1 and 2 to host a joint workshop on the SCS. The workshop is scheduled for **May 14, 2011**.

### *3) RTP/SCS Work Element Proposals and*

MTC continues to refine their proposals and guidance for the following work elements of the RTP/SCS:

- 25-year financial forecast assumptions;
- Draft committed funds and projects policy scheduled to be adopted by MTC in April;
- Projects performance assessment approach; and
- Transit capital, local streets and roads maintenance needs, and transit operation needs approach.

### *4) Upcoming Meetings Related to Countywide and Regional Planning Efforts:*

<b>Committee</b>	<b>Regular Meeting Date and Time</b>	<b>Next Meeting</b>
CWTP-TEP Steering Committee	4 <sup>th</sup> Thursday of the month, noon Location: Alameda CTC	April 28, 2011 May 26, 2011
CWTP-TEP Technical Advisory	2 <sup>nd</sup> Thursday of the month, 1:30 p.m.	April 14, 2011

<b>Committee</b>	<b>Regular Meeting Date and Time</b>	<b>Next Meeting</b>
Working Group	Location: Alameda CTC	May 12, 2011
CWTP-TEP Community Advisory Working Group	1 <sup>st</sup> Thursday of the month, 3:00 p.m. Location: Alameda CTC	April 7, 2011 May 5, 2011
SCS/RTP Regional Advisory Working Group	1 <sup>st</sup> Tuesday of the month, 9:30 a.m. Location: MetroCenter, Oakland	April 5, 2011 May 3, 2011
SCS/RTP Equity Working Group	Location: MetroCenter, Oakland	April 13, 2011 May 11, 2011
SCS/RTP Housing Methodology Committee	10 a.m. Location: BCDC, 50 California St., 26th Floor, San Francisco	April 28, 2011 May 26, 2011
CWTP-TEP Public Workshops and Initial Vision Scenario Outreach	Location and times vary District 1 and 2 SCS Workshop Initial Vision Scenario Public Meeting	May 14, 2011 TBD

**Fiscal Impact**

None.

**Attachments**

Attachment A: Summary of Next Quarter Countywide and Regional Planning Activities

Attachment B: CWTP-TEP-RTP-SCS Development Implementation Schedule

Attachment C: One Bay Area SCS Planning Process

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## Summary of Next Quarter Countywide and Regional Planning Activities (April through June)

### Countywide Planning Efforts

The three year CWTP-TEP schedule showing countywide and regional planning milestone schedules is found in Attachment B. Major milestone dates are presented at the end of this memo. In the April to June time period, the CWTP-TEP Committees will be focusing on:

- Coordinating with ABAG and local jurisdictions on defining the Detailed Land Use Scenarios for the Sustainable Communities Strategy and establishing how land use and the SCS will be addressed in the CWTP;
- Providing input on issues papers that discuss challenges and opportunities regarding transportation needs in Alameda County, including a presentation of best practices and strategies for achieving Alameda County's vision beyond this CWTP update;
- Developing and implementing a Call for Projects and Committed Funding and Project Policy that is consistent and concurrent with MTC's call for projects and guidance;
- Developing countywide financial projections and opportunities that are consistent and concurrent with MTC's financial projections;
- Beginning the discussion on Transportation Expenditure Plan strategic parameters and funding scenarios;
- Identifying transportation investment packages for evaluation;
- Reviewing polling results for an initial read on voter perceptions;
- Continuing to conduct public outreach on transportation projects and programs and the Initial Vision Scenario and the Detailed Scenarios.

### Regional Planning Efforts

Staff continues to coordinate the CWTP-TEP with planning efforts at the regional level including the Regional Transportation Plan (MTC), the Sustainable Communities Strategy (ABAG), Climate Change Bay Plan and amendments (San Francisco Bay Conservation and Development Commission (BCDC)) and CEQA Guidelines (Bay Area Air Quality Management District (BAAQMD)).

In the three month period for which this report covers, MTC and ABAG are focusing on

- Receiving input on the Initial SCS Vision Scenario released March 11, 2011;
- Developing the Detailed Scenarios based on that input;
- Developing draft financial projections;
- Adopting a committed transportation funding and project policy;
- Implementing a call for projects; and
- Assessing performance of the projects and beginning the performance assessment.

Staff will be coordinating with the regional agencies and providing feedback on these issues, through:

- Participating on the MTC/ABAG Regional Advisory Working Group (RAWG),
- Participating on regional Sub-committees (Equity sub-committee); and
- Assisting in public outreach.

### Key Dates and Opportunities for Input

The key dates shown below are indications of where input and comment are desired. The major activities and dates are highlighted below by activity:

#### *Sustainable Communities Strategy:*

Presentation of SCS information to local jurisdictions: Completed

Initial Vision Scenario Released: March 11, 2011: Completed

Detailed SCS Scenarios Released: July 2011

Preferred SCS Scenario Released/Approved: December 2011/January 2012

#### *RHNA*

RHNA Process Begins: January 2011

Draft RHNA Methodology Released: September 2011

Draft RHNA Plan released: February 2012

Final RHNA Plan released/Adopted: July 2012/October 2012

#### *RTP*

Develop Financial Forecasts and Committed Funding Policy: March/April 2011

Call for RTP Transportation Projects: March 1 through April 29, 2011

Conduct Performance Assessment: March 2011 - September 2011

Transportation Policy Investment Dialogue: October 2011 – February 2012

Prepare SCS/RTP Plan: April 2012 – October 2012

Draft RTP/SCS for Released: November 2012

Prepare EIR: December 2012 – March 2013

Adopt SCS/RTP: April 2013

#### *CWTP-TEP*

Develop Land Use Scenarios: May 2011

Call for Projects: Concurrent with MTC

Outreach: January 2011 - June 2011

Draft List of CWTP screened Projects and Programs: July 2011

First Draft CWTP: September 2011

TEP Program and Project Packages: September 2011

Draft CWTP and TEP Released: January 2012

Outreach: January 2012 – June 2012

Adopt CWTP and TEP: July 2012

TEP Submitted for Ballot: August 2012

Meeting											
2010										2010	
FY2010-2011										Oct	Nov
Task	January	February	March	April	May	June	July	August	Sept	Oct	Nov
Alameda CTC Committee/Public Process											
Steering Committee			Establish Steering Committee	Working meeting to establish roles/responsibilities, community working group	RFP feedback, tech working group	Update on Transportation/Finance Issues	Approval of Community working group and steering committee next steps	No Meetings		Feedback from Tech, comm working groups	No Meetings
Technical Advisory Working Group								No Meetings		Roles, resp, schedule, vision discussion/feedback	No Meetings
Community Advisory Working Group								No Meetings		Roles, resp, schedule, vision discussion/feedback	No Meetings
Public Participation								No Meetings			Stakeholder outreach
Agency Public Education and Outreach											
Alameda CTC Technical Work											
Technical Studies/RFP/Work timelines: All this work will be done in relation to SCS work at the regional level						Board authorization for release of RFPs	Pre-Bid meetings	Proposals reviewed	ALF/ALC approves shortlist and interview. Board approves top ranked, auth. to negotiate or NTP		Technical Work
Polling											
Sustainable Communities Strategy/Regional Transportation Plan											
Regional Sustainable Community Strategy Development Process - Final RTP in April 2013			Local Land Use Update P2009 begins & PDA Assessment begins						Green House Gas Target approved by CARB.	Start	Vision Scenario Discussions
							Adopt methodology for Jobs/Housing Forecast (Statutory Target)		Projections 2011 Base Case		
									Adopt Voluntary Performance Targets		

2011																									
FY2011-2012																									
Task		January		February		March		April		May		June		July		August		Sept		Oct		Nov		Dec	
Alameda CTC Committee/Public Process																									
Steering Committee	Adopt vision and goals; begin discussion on performance measures, key needs	Performance measures, costs guidelines, call for projects and prioritization process, approve polling questions, initial vision scenario discussion	Review workshop outcomes, transportation issue papers, programs, finalize performance measures, land use discussion, call for projects update	Outreach and call for projects update (draft list approval), project and program packaging, county land use, financials, committed projects	Outreach update, project and program screening outcomes, call for projects final list to MTC, TEP strategic parameters, land use rcmmdn	No Meetings.	Project evaluation outcomes; outline of CWTP; TEP Strategies for project and program selection	No Meetings	1st Draft CWTP, TEP potential project and program packages, outreach and polling discussion	Meeting moved to December due to holiday conflict	Review 2nd draft CWTP; 1st draft TEP														
Technical Advisory Working Group	Comment on vision and goals; begin discussion on performance measures, key needs	Continue discussion on performance measures, costs guidelines, call for projects, briefing book, outreach	Review workshop outcomes, transportation issue papers, programs, finalize performance measures, land use discussion, call for projects update	Outreach and call for projects update, project and program packaging, county land use, financials, committed projects	Outreach update, project and program screening outcomes, call for projects update, TEP strategic parameters, land use	No Meetings.	Project evaluation outcomes; outline of CWTP; TEP Strategies for project and program selection	No Meetings	1st Draft CWTP, TEP potential project and program packages, outreach and polling discussion	Review 2nd draft CWTP, 1st draft TEP, poll results update	No Meetings														
Community Advisory Working Group	Comment on vision and goals; begin discussion on performance measures, key needs	Continue discussion on performance measures, costs guidelines, call for projects, briefing book, outreach	Review workshop outcomes, transportation issue papers, programs, finalize performance measures, land use discussion, call for projects update	Outreach and call for projects update, project and program packaging, county land use, financials, committed projects	Outreach update, project and program screening outcomes, call for projects update, TEP strategic parameters, land use	No Meetings.	Project evaluation outcomes; outline of CWTP; TEP Strategies for project and program selection	No Meetings	1st Draft CWTP, TEP potential project and program packages, outreach and polling discussion	Review 2nd draft CWTP, 1st draft TEP, poll results update	No Meetings														
Public Participation	Public Workshops in two areas of County: vision and needs; Central County Transportation Forum	Public Workshops in all areas of County: vision and needs	East County Transportation Forum				South County Transportation Forum	No Meetings		2nd round of public workshops in County; feedback on CWTP, TEP; North County Transportation Forum	No Meetings														
Agency Public Education and Outreach		Ongoing Education and Outreach through November 2012											Ongoing Education and Outreach through November 2012												
Alameda CTC Technical Work																									
Technical Studies/RFP/Work timelines: All this work will be done in relation to SCS work at the regional level		Feedback on Technical Work, Modified Vision, Preliminary projects lists				Work with feedback on CWTP and financial scenarios		Technical work refinement and development of Expenditure plan, 2nd draft CWTP																	
Polling	Conduct baseline poll																								
Sustainable Communities Strategy/Regional Trar																									
Regional Sustainable Community Strategy Development Process - Final RTP in April 2013				Release Initial Vision Scenario	Detailed SCS Scenario Development		Release Detailed SCS Scenarios	Technical Analysis of SCS Scenarios; Adoption of Regional Housing Needs Allocation Methodology		SCS Scenario Results/and funding discussions		Release Preferred SCS Scenario													
		Discuss Call for Projects		Call for Transportation Projects and Project Performance Assessment		Project Evaluation		Draft Regional Housing Needs Allocation Methodology																	
		Develop Draft 25-year Transportation Financial Forecasts and Committed Transportation Funding Policy																							

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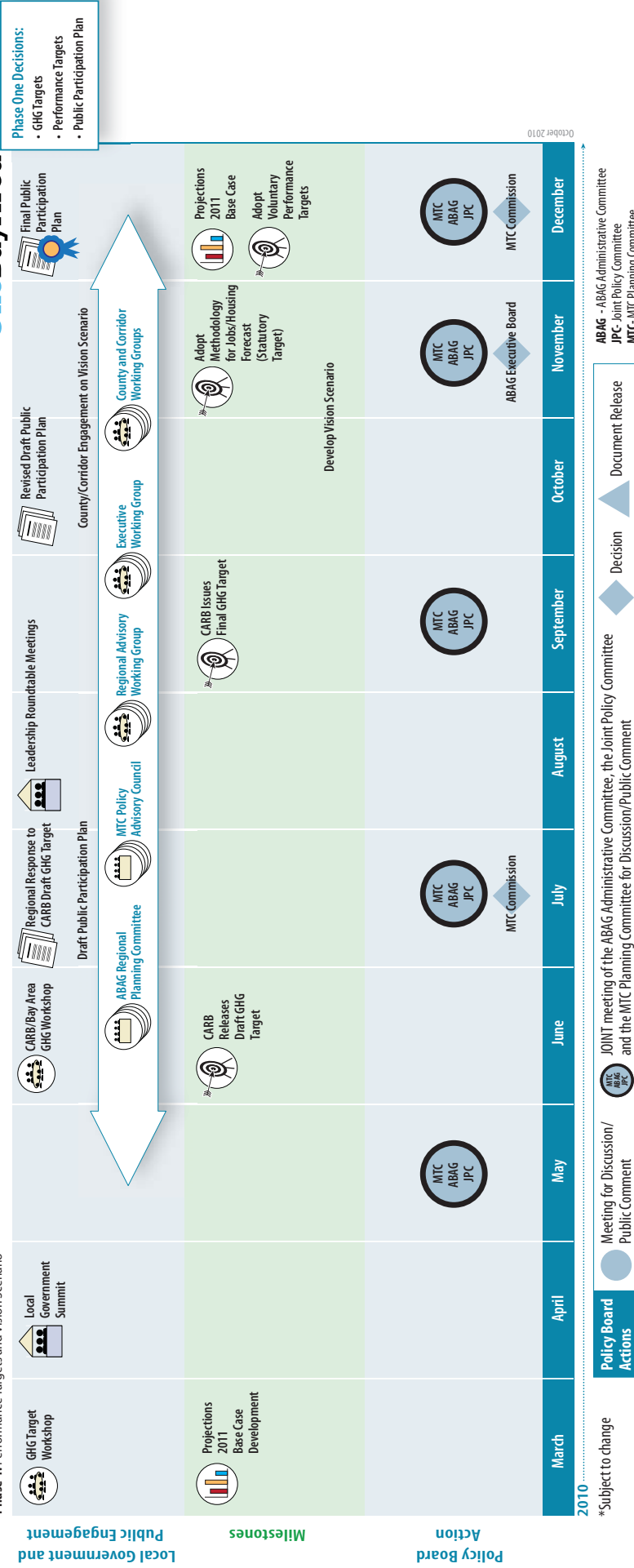
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## Sustainable Communities Strategy Planning Process: Phase 1 Detail for 2010\*

Phase 1: Performance Targets and Vision Scenario

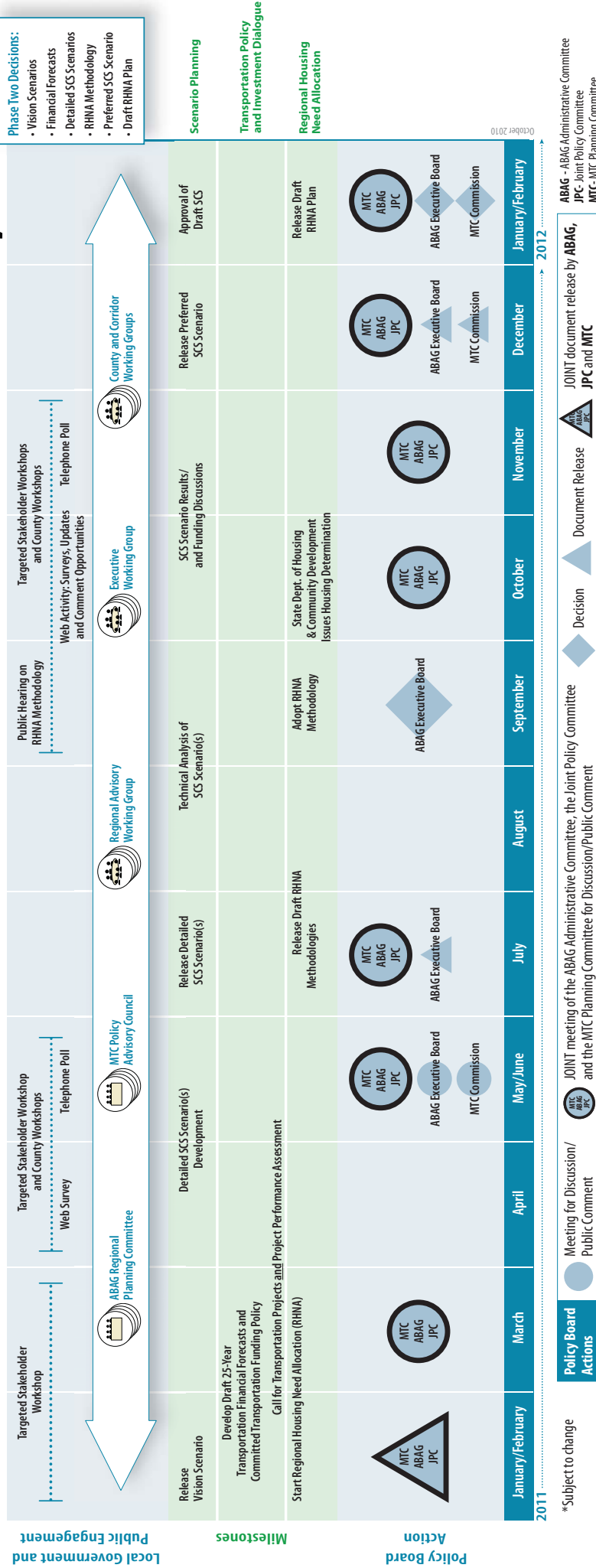
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## Sustainable Communities Strategy Planning Process: Phase 2 Detail for 2011\*

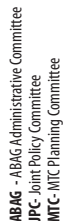
Phase 2: Scenario Planning, Transportation Policy & Investment Dialogue, and Regional Housing Need Allocation

OneBayArea



**OneBayArea**

### Phase 4: Plan Adoption



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## Memorandum

**DATE:** April 4, 2011  
**TO:** Planning, Policy and Legislation Committee  
**FROM:** Tess Lengyel, Programs and Public Affairs Manager  
**SUBJECT:** Legislative Update

### Recommendations

Staff recommends approval of positions on bills as noted below.

### Summary

#### *State Update*

Budget: A final complete budget agreement could not be reached by the end of March, leaving less options on how to close the projected budget gap, including a potential all cuts budget, a November ballot initiative, acquiring four republican votes for a legislative extension of taxes, or other yet to be determined options. During the final week of March, the Governor signed several budget trailer bills that resulted in over \$11 billion in cuts of the \$25 billion needed; however, the actual budget bill was not signed. Of the trailer bills signed, AB 105 Transportation – Gas tax swap, was included and reenacted the gas tax swap, a bit of good news for transportation.

The attached memo from Suter, Wallauch, Corbett & Associates provides summary information on the budget discussions, possible next steps and a summary of the trailer bills signed.

State Bills: Staff is evaluating bills and recommends the noted positions on the following state bills.

- **AB 153, 155, and SB 234 (Skinner, Calderon, Hancock, respectively). Expansion of sales tax collection from internet transactions.** These three bills would make changes to the Sales and Use Tax Law which imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail businesses in California, or on the storage, use, or other consumption in California of purchased tangible personal property. These three bills would more broadly redefine the term retailers and would require the collection of use taxes from retailers who sold personal tangible property to people in California. According to a BOE estimate, which includes many caveats due to uncertainty about timeliness of collections and potential litigation, increased state and local revenues of \$152 million in fiscal year 2011-12 and \$317 million in FY 2012-13 could be garnered by enactment of these laws. The adopted

Alameda CTC legislative program includes language to “support legislation that protects and provides increased funding for operating, maintaining, rehabilitating, and improving transportation infrastructure, including state highways, public transit and paratransit, local streets and roads, bicycle and pedestrian facilities, and goods movement....” If these bills are enacted, Alameda CTC would receive a portion of the receipts, thereby increasing funding for transportation. Therefore, staff recommends a **SUPPORT** position on this bill.

- **AB 147 (Dickinson). Subdivisions.** This bill would expand the use of developer fees from only constructing bridges or major thoroughfares, to allow the funds to be used for other transportation facilities, including, but not limited to, pedestrian, bicycle, transit, and traffic-calming facilities. This expanded use would foster a broader range of transportation improvements, particularly in areas that are built-out or in transit oriented developments that would benefit by the proposed expanded allowable uses, as they may be more relevant to those areas. The adopted Alameda CTC legislative program states, “support efforts that encourage, fund and provide incentives and/or reduce barriers for developing around transportation centers and for encouraging the use of transit, walking and biking.” Therefore, staff recommends a **SUPPORT** position on this bill.
- **AB 1308 (Miller). Highway Users Tax: appropriations of funds.** This bill would, in any year when a budget has not been enacted by July 1, continuously appropriate all moneys, except as specified, in the Highway Users Tax Account in the Transportation Tax Fund, for transportation purposes until a budget is enacted. In past years, the delay in adoption of a budget has led to fund flow stoppages from the state to transportation projects. This bill would disallow that and would provide for the continued flow of transportation funds, despite the budget adoption status. The adopted Alameda CTC legislative program states, “Protect and increase funding for Alameda CTC projects in the State Transportation Improvement Program (STIP), the federal transportation bill and other funding sources.” Therefore, staff recommends a **SUPPORT** position on this bill.
- **SB 582 (Emmerson). Regional Commute Benefits Policy.** This bill would allow a metropolitan planning organization (MPO) and a local air quality management district which share common jurisdictional areas to jointly adopt a commute benefit ordinance requiring employers operating within the common area to offer all covered employees one of three choices as described in the bill: (1) *A pretax option:* a program, consistent with Internal Revenue Codes, allowing covered employees to elect to exclude from taxable wages employee commuting costs incurred for transit passes or vanpool charges, or bicycle commuting, up to the maximum amount allowed by federal tax law. (2) *Employer-paid benefit:* offer employees a subsidy to offset the monthly cost of commuting via transit or by vanpool. The subsidy must be equal to either the monthly cost of commuting via transit or vanpool, or seventy-five dollars (\$75), whichever is lower and adjusted annually consistent with the California Consumer Price Index. (3) *Employer-provided transit:* transportation furnished by the employer at no cost, or low cost as determined by the metropolitan planning organization, to the covered employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.



The bill also allows for alternative employer-offered commuter benefits if required by an existing condition of a lease, or others that must be approved by the MPO if it determines that at least the same benefit are derived in reducing single-occupant vehicle trips as any of the above three options. This bill would apply to businesses with 20 to 50 or more employees working at least 20 hours per week. If approved, the effective bill date would be January 1, 2013, and would allow employers at least six months to comply after the ordinance is adopted. The adopted Alameda CTC legislative program includes language to, “support efforts that provide incentives for employees/employers to utilize/offer public transportation or alternatives to the auto to commute to work.” Therefore, staff recommends a **SUPPORT** position on this bill.

- **AB 392 (Alejo). Ralph M. Brown Act: posting agendas.** This bill would restrict the ability of the Alameda CTC to act on agenda items in a public meeting if a write up of the item is not included in the packet or posted on-line 72 hours prior to the meeting. According to the bill, exceptions would be allowed if it was considered an emergency item, or if it is approved by 2/3 of the members (or a majority if two-thirds are not present) and that the need for the item to be acted upon became apparent after the agenda was posted. While all efforts are made to ensure that memorandums are prepared and included in all Alameda CTC mailouts, there are times that items are not completed, due to varying circumstances, and the memorandum write up must be brought to the Commission and presented at the meeting. If this bill were approved, it could potentially delay action on important items and affect costs and/or the ability to deliver transportation projects, programs, or administrative and legislative items. The adopted Alameda CTC legislative program states, “support legislation that improves the ability to deliver Alameda CTC projects and programs in a timely and cost-effective manner ....” Therefore, staff recommends a **OPPOSE** position on this bill.

**Update on AB 1086, (Wieckowski) Transactions and use taxes: County of Alameda.** Existing law authorizes various local governmental entities, to levy transactions and use taxes for specific purposes, and requires that the combined rate of all transactions and use taxes imposed in a county may not exceed 2 percent. This bill would allow the imposition of transactions and use taxes for certain purposes in excess of the combined rate. The Alameda CTC is the sponsor of this bill, which will be heard in the Assembly Local Government Committee on April 6, 2011, and for which some amendments have been proposed, including allowing this bill to be used by the Alameda CTC, including a sunset date and establishing a cap. Staff will provide an update on the progress of this bill at the meeting.

### ***Federal Update***

#### **Economic Challenges:**

Congress continues to grapple with the Fiscal Year 2011 budget, for which the current short-term Continuing Resolution (CR) expires on Friday, April 8. Targeted cuts of about \$33 billion for the current fiscal year are being negotiated by Democrats and Republicans, however, pressure from many Republicans call for much higher cuts.

**Presidential Budget and Surface Transportation:** President Obama released his proposed FY 2012 budget on February 14<sup>th</sup>, which outlined the Administration’s priorities for the coming

year as well as the Administration's reauthorization proposal. In March, the Alameda CTC adopted a support in concept position for both the FY 2012 budget and reauthorization proposal and submitted a letter from Mayor Green to many of the members and staff that were visited during the late March 2011 legislative visit, supporting the following:

- Department of Transportation FY 2012: \$128 Billion. This proposal increases transportation funding by approximately 60% over the current FY 10 funding levels as noted below:
  - FY 10 funding level: \$76 billion
  - FY11 funding request: \$79 billion
  - FY12 funding request: \$128 billion – 60% increase over current FY 10 amounts
- **Surface Transportation Bill Reauthorization Proposal:** The President proposed a \$556 billion, six-year authorization bill, representing a 60 percent increase over inflation adjusted levels of SAFETEA-LU. While a funding mechanism had not been identified for this funding level, the proposal includes:
  - \$119 billion for transit programs over six-years, doubling the commitment to transit in the prior reauthorization;
  - \$336 billion in funding for highway programs over six years, a 48 percent increase over current levels;
  - \$53 billion over six years for high speed and passenger rail systems;
  - Funding for Sustainable Communities and Innovative Infrastructure Planning;
  - \$30 billion over six years for a National Infrastructure Bank to provide loans and grants for projects of regional and national significance.

The current extension of the surface transportation bill runs through the end of the fiscal year, September 30, 2011. Both House Transportation and Infrastructure (T&I) Chairman John Mica and Senate Environment and Public Works Committee Chairwoman Barbara Boxer have indicated that they want to release bill language for a 6-year reauthorization by late spring and early summer. Additional information can be found in Attachments B and B1.

Federal Bills: Staff is evaluating bills and recommends the noted position on the following federal bill:

- **HR 1123 (Congresswoman Richardson) TIFIA Expansion Act of 2011.** This bill would expand the current Transportation Infrastructure Finance and Innovation (TIFIA) Program, which allows funding for major transportation construction projects through direct loans, loan guarantees, and lines of credit from up to 33% of eligible project costs, to up to 49% of eligible costs. The bill would also increase the available funds to support the program by \$122 million to \$375 million. The TIFIA program leverages federal funds by attracting private and other non-federal funds in a competitive program. TIFIA eligible projects include highway, transit, railroad, intermodal freight, and port access development. This program offers a way to reward self-help agencies such as ours since we could compete well under this type of program due to the amount of non-federal funds we could bring into the program as a result of locally derived funding. The adopted Alameda CTC legislative program states, "Protect and increase

funding for Alameda CTC projects in the State Transportation Improvement Program (STIP), the federal transportation bill and other funding sources.” Therefore, staff recommends a **SUPPORT** position on this bill.

**Fiscal Impact**

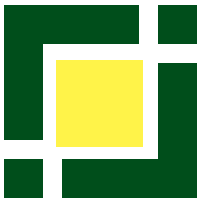
No direct fiscal impact.

**Attachments**

Attachment A: State Update

Attachments B and B1: Federal Updates

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March 30, 2011

TO: Art Dao, Executive Director  
Alameda County Transportation Commission

FR: Suter, Wallauch, Corbett & Associates

**RE: Legislative Update**

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**Wait Until June:** While a glimmer of hope remained over last weekend that deal could be reached, all hope faded when the Governor issued a press release late Tuesday afternoon, plus a letter to Senate Rep Leader Dutton, cancelling any further negotiations on a ballot measure for extending temporary taxes. Senate President Pro Tem Steinberg held an impromptu press conference in which he pointedly stated the same conclusion of further dickering on this particular deal. Future possibilities include an all cuts budget, a November ballot initiative, trying to get 4 R votes for a legislative extension of taxes, none of the above, or strategies yet to be devised.

**The Republican "term sheet":** Last Friday Senator Republican Leaders release one of the most curious negotiating documents. Keep in mind that throughout the process, the minority caucus has refused to offer up their own budget because "that's the Democrats' job." Maybe so, but if one party has a seven page, 53-item list, it might be good form to surface the thing prior to an absolute deadline for moving forward with a timely solution to California's bankrupt condition.

While the list included the big three issues of pension reform, spending caps, and regulatory reform, it was not limited to cutting state spending. The list also included requests to restore funding for the Williamson Act, eliminate new water fees, and restore funding for county fairs. Given Pro Tem Steinberg's anger early Friday, the Speaker's frustration late Friday afternoon, and the utter bafflement of serious negotiators, cancelling negotiations was the only logical choice.

**Where do they go from here:** With the Republican Caucuses poised to throw any of their members under the bus who dare work with the Governor to resolve California's budget crisis, the options are not pretty. Since time has run out for a June election, the Governor could call an election himself and then raise the money to gather signatures to place the constitutional amendment before the voters. This election probably could not occur until November, meaning that the voters would be voting to impose NEW taxes, rather than extend existing taxes, which is a higher hurdle. And, a November election will require the adoption of an all cuts budget, which places at risk transit operating funds and deeper cuts to education, social services, and health programs.

If a special election is called for November, any item the Gov places on the ballot will have some company. Last week, former Republican Assemblyman Roger Niello filed a pension initiative with the Secretary of State, and Jon Coupal (of Jarvis connection) filed one on a spending cap.

The Legislature could attempt to place the tax extension question on the ballot as a majority vote trailer bill. This would not include the Constitutional protection counties have tirelessly worked for as part of the realignment package. However, there seems to be little interest in pursuing this legally suspect maneuver. Finally, the Legislature could continue with old fashioned politics of reaching an agreement with the requisite 4 Rs and enact the tax extensions by voting. This too would not include Constitutional protections for counties.

***½ a Deal Signed:*** Last week Governor Brown signed 13 budget trailer bills that make up the bulk of the \$11 + billion in cuts and adjustments needed to get halfway to the 18-month budget solution. They contain the best efforts of the Legislature to address a “half cuts” budget solution. The Budget Bill itself was not signed, nor the last two trailers related to public safety realignment, as they are dependent upon the Constitutional Amendment for tax extensions and for agreed-upon public safety guarantees. The following is a list of the budget bills signed into law:

- AB 95 Resources
- AB 97 Health Care
- AB 99 First 5 Commission – Proposition 10
- AB 100 Mental Health – Proposition 63
- AB 105 Transportation – Gas tax swap
- SB 70 Education
- SB 72 Human Services
- SB 74 Developmental Disabilities
- SB 78 Judiciary
- SB 80 General Government – Williamson Act
- SB 82 Cash Management
- SB 84 Loans
- SB 86 Tax Compliance

***Transportation Trailer Bill:*** The following is a summary of AB 105 which enacted numerous changes to transportation statutes, including reenacting the Gas Tax Swap.

***Prop 26 Fix:*** AB 105 reenacts the gas tax swap as part of the budget. As you know, Prop 26 requires the Legislature to enact the swap with a 2/3 vote. AB 105 included language to reenact the swap in order to protect funding sources for highways, local streets and roads, and public transit. AB 105 was overwhelming approved by the Senate and Assembly.

***Transit Funding:*** In the 2011-12 fiscal year \$330 million will be allocated through the State Transit Assistance Account (STA). This amount is expected to climb to \$350 million in future budget years. The budget allocates 50% of the base diesel fuels sales tax and 100% of the sales tax increase set to take effect on July 1 to transit operations.

Starting July 1<sup>st</sup> the diesel sales tax will increase by 1.87 percent, then increase by 2.17 percent in 2012-13, and then it is reduced by 1.94 percent in 2013-14. There will be a corresponding reduction to the excise tax for each adjustment to the sales tax. This fluctuation is intended to backfill the loss of Non-Article 19 funds that are transferred from STA to the general fund. Starting with the 2014-15 the diesel sales tax increase will be reduced to 1.75 percent.

***Weight Fee Shift & Loan:*** The budget includes uses vehicle weight fee revenue rather than fuel excise tax revenue to reimburse the General Fund for transportation bond debt payments. The need to change the fund source was due to Prop 22 which enacted restrictions on using excise tax revenue for debt payments. The budget transfers approximately \$1 billion of weight fee revenue to the general fund in the current, 2010-11, fiscal year. This includes \$756 million to reimburse the general fund for bond debt payments and it loans nearly \$350 million to the general fund.

The transportation trailer bill specifies that a \$205 million loan repayment from the general fund to the State Highway Account shall be made by June 30, 2014, and \$144 million shall be repaid by June 30, 2015. In the 2011-12 fiscal year \$866 million in weight fee revenue is transferred to the general fund for bond debt payments. For the current budget year and the 2011-12 fiscal year general fund reimbursement for debt payments will total \$1.6 billion.

***Non-Article 19 Funds:*** The Budget plans to use \$78 million in non-Article 19 funds to reimburse the General Fund for Prop 116 transit bond costs. These revenues are generated from Caltrans document sales and property rentals and are not restricted by Article 19 of the Constitution. Prop 22 restricted the use of Public Transportation Account funds for debt service, which forced this switch to Non-Article 19 funds as the source for the bond debt payments. This proposal is akin to using weight fees for debt payments on highway bonds.

***Gas Tax Swap Corrections:*** Clarifies how the new excise tax revenues that backfills the lost Prop 42 funds are allocated. First, Prop 42 local street and road funds were allocated quarterly. Since the backfill funds are allocated by the HUTA formula, which is allocated monthly, the language clarifies that the Prop 42 backfill funds for local streets and roads is also allocated monthly. In addition, the Prop 42 maintenance of efforts requirements for local street and road funds do not apply to the backfill funds.

***Proposition 1B changes:***

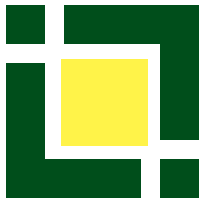
- Requires the CTC to report to the Legislature semiannually on the expenditure of Transportation Corridor Improvement Funds (TCIF) for railroad projects. This also includes submitting any MOU between a railroad company and the state or local entity on projects that include TCIF funds.
- Extends the period for expending Prop 1B water transit funds from three years to four years for funds allocated prior to June 30, 2011.

- Provides cities and counties a one-year extension to expend Prop 1B Local Streets and Roads funds for any year in which Highway Users Tax Account funds are borrowed, deferred, or shifted.

#### ***High-Speed Rail Authority Changes***

- Exempt Positions: Authorizes the Governor to appoint six management level exempt positions to the High Speed Rail Authority (HSRA) upon the recommendation of the executive director.
- Reporting: Requires the HSRA to report on community outreach; the HSRA strategic plan as required by the State Administrative Manual; the performance of the program-manager contractor; and actions of the HSRA related to the Bureau of State Audits report.





# Suter Wallauch Corbett & Associates

Government Relations

Attachment A2

March 30, 2011

Bills	Subject	Status	Client - Position
<a href="#"><u>AB 3</u></a> <a href="#"><u>(Miller)</u></a> Vehicles: confidential home addresses: citations.	<p>Under existing law there is a long list of individuals who may request the Department of Motor Vehicles to keep their home address confidential. In addition, existing law places time limits that require citations for parking, toll and other violations to be sent within 15 days and the violator has 21 days to pay or contest. While the DMV has a process for a court or government agency to request a confidential address, the time it takes usually exceeds the notification requirements. Also, if a private entity is processing the citations, then there is no access to the confidential addresses.</p> <p>AB 3 proposes to create a process whereby an individual with a confidential home address must provide a business address for the purpose of processing any citations. Closing this loophole is expected to generate revenue through the collection of tolls and parking ticket fines</p>	ASSEMBLY TRANS.	
<a href="#"><u>AB 57</u></a> <a href="#"><u>(Beall)</u></a> Metropolitan Transportation Commission.	<p>AB 57 would add two new representatives to the Metropolitan Transportation Commission governing board. The bill authorizes the Mayors of San Jose and Oakland to each appoint a representative to MTC. AB 57 was unanimously approved by the Assembly Transportation Committee on a vote of 13-0, and it will be heard next week by the Assembly Local Government Committee.</p>	ASSEMBLY TRANS.	Alameda CTC-SUPPORT

<p><b><u>AB 147</u></b> <b><u>(Dickinson)</u></b> Subdivisions.</p>	<p>AB 147 would expand the scope of transportation projects on which a city or county can expend permit fee revenue. Current law limits the use of building permit fee revenue to constructing bridges or major thoroughfares. This bill would add transportation facilities, including pedestrian, bicycle, transit, and traffic calming facilities that are consistent with the circulation element of the general plan.</p>	<p>ASSEMBLY L. GOV.</p>	
<p><b><u>AB 153</u></b> <b><u>(Skinner)</u></b> State Board of Equalization: administration: retailer engaged in business in this state.</p>	<p>AB 153 was approved by the Assembly Committee on Revenue &amp; Taxation. Although the bill was sent to the Committee's Suspense File, the Committee Chairman, Assemblyman Henry Perea vowed to move the bill forward, and he did last week when the was removed from the Suspense File and approved.</p> <p>AB 153 would require out-of-state companies that maintain a network in California and thus a presence in the state to collect sales tax on orders received from within California. This bill is closely modeled after a New York law, which expanded the collection of sales tax on certain internet sales. Current policy in California only requires the collection of sales tax on internet sales if the retailer also has a nexus or brick and mortar presence in California. AB 153 would expand the nexus definition to online retailers that have affiliate businesses in California.</p>	<p>ASSEMBLY APPR.</p>	
<p><b><u>AB 155</u></b> <b><u>(Calderon, Charles)</u></b> Use tax: retailer engaged in business.</p>	<p>Complementary to AB 153, this bill would also expand the collection of sales and use tax revenue on internet transactions. AB 155 proposes to expand the definitions of a retailer engaged in the business of this state to</p>	<p>ASSEMBLY REV. &amp; TAX</p>	

	include retailers that are part of a “commonly controlled group.” This would include an online retailer that also owns or controls another business that has a “brick and mortar” presence in the state.		
<a href="#"><u>AB 294</u></a> <a href="#"><u>(Portantino)</u></a> Design-sequencing contracts.	AB 294 was approved by the Assembly Transportation Committee on a 13-0 vote. This bill would reenact provisions, authorizing Caltrans to let design-sequencing contracts for the design and construction of not more than 5 transportation projects.	ASSEMBLY APPR	
<a href="#"><u>AB 324</u></a> <a href="#"><u>(Buchanan)</u></a> State buildings: building locations: considerations.	AB 324 would require the state Department of General Services when selecting a location for new state office space to consider the location of the building to the population served by the building, the location of the workforce to use the building, and availability of frequent transit service. The bill would allow for a preference for locations that demonstrate the highest reduction in miles traveled by the workforce.	ASSEMBLY APPR	
<a href="#"><u>AB 348</u></a> <a href="#"><u>(Buchanan)</u></a> Highways.	AB 348 was amended on March 25 <sup>th</sup> to reestablish the Vasco Road Double Fine Zone from 580 in Alameda County to Walnut Boulevard in Contra Costa County. The bill generally reenacts the double fine statute that sunset on December 31, 2009.	ASSEMBLY TRANS.	
<a href="#"><u>AB 427</u></a> <a href="#"><u>(John A. Pérez)</u></a> Transportation bond funds: transit system safety	AB 427 was recently amended to make several changes to the Transit System Safety, Security and Disaster Response Account. First, the bill deletes language that prohibits a transit operator from receiving funds from the “15%” pot, which is reserved for intercity and commuter rail operators, if the transit operator also receives funding from the “60%” pot, which is allocated to public operators	ASSEMBLY G.O.	

	<p>by formula.</p> <p>AB 427 would also create a process that would allow CalEMA to reallocate these funds if they are not going to be spent by the operator. Specifically, the bill established the following time line.</p> <ul style="list-style-type: none"> <li>• Within 45 days of the date when the Controller makes public the list of eligible recipients, the operator must provide a document to CalEMA that indicates how the operator intends to use those funds.</li> <li>• If an operator does not respond, CalEMA must inform the regional transportation planning agency that covers the operator, and then the regional transportation planning agency has 30 days to notify CalEMA that it intends to allocate the available funds to other operators in the region.</li> <li>• If the regional transportation planning agency does not respond then CalEMA may allocate the funds on a competitive basis to operators in other areas of the state.</li> </ul>		
<p><a href="#"><u>AB 441</u></a> (<a href="#"><u>Monning</u></a>) State planning.</p>	<p>AB 441 promotes the incorporation of the findings of the Health in All Policies Task Force that was created by in 2008 by Governor Schwarzenegger. This bill would require the California Transportation Commission to work with Caltrans and other state departments, on the development of health goals and health equity factors that would be incorporated into the guidelines used for developing regional transportation plans. In addition, the bill would also require the guidelines used by local</p>	<p>ASSEMBLY L. GOV.</p>	

	governments for developing a general plan to also include provisions that address health goals.		
<a href="#"><u>AB 485</u></a> <a href="#"><u>(Ma)</u></a> Local planning: transit village development districts.	<p>AB 485 is the renewed attempt to create a financing district that use tax increment financing to develop a transit village district. This bill would eliminate the need for a 2/3 public vote to create the IFD and it would require 20% of the tax increment revenue be dedicated to building low and moderate housing within the district.</p> <p>AB 485 is sponsored by BART.</p>	ASSEMBLY L. GOV	
<a href="#"><u>AB 650</u></a> <a href="#"><u>(Blumenfield)</u></a> Blue Ribbon Task Force on Public Transportation for the 21 <sup>st</sup> Century.	<p>AB 650 would create a “blue ribbon task force” to examine current state of public transit in California and how to create a system that will meet projected demand. This bill is sponsored by a coalition of environmental groups.</p> <p>The task force would consist of 12 members jointly appointed by the Senate and Assembly. The representatives would range from business and labor to public and private transit operators and transit advocacy groups. The findings of the Commission shall be submitted to the Legislature by March 31, 2013. The bill appropriates \$750,000 from the Public Transportation Account to fund the study and hearing requirements in the bill.</p>	ASSEMBLY TRANS.	
<a href="#"><u>AB 710</u></a> <a href="#"><u>(Skinner)</u></a> Local planning: infill and transit-oriented	AB 710 would enact the Infill Development and Sustainable Communities Act of 2011. While this is not a spot bill, the content of the bill is limited to legislative intent and it would restrict local planning ordinances to	ASSEMBLY H. & C.D.	

development.	<p>one parking space per residential unit, or one space per 1,000 square feet of commercial space if the project is located in a “transit intensive area.”</p> <p>The bill defines transit intensive area to be a central business district, an area within ½ mile of major transit stop, or an area within one-quarter mile of high-quality transit corridor. The terms major transit stop and high-quality transit corridor are defined in Section 21155 of the Public Resources Code, which was added by SB 375. A major transit stop must be a rail or ferry station, or bus stop serving more than two routes with peak headways of 15 minutes or less. A high-quality transit corridor must have bus service with peak headways of 15 minutes or less.</p>		
<a href="#"><u>AB 1086</u></a> <a href="#"><u>(Wiecekowski)</u></a> Transactions and use taxes: County of Alameda.	<p>AB 1086 is scheduled to be heard by the Assembly Local Government Committee on April 6. This bill would allow the placement of a local sales tax measure to be placed on the ballot that if approved by the voters to exceed the 2% combined cap on all local sales tax measures.</p> <p>The Assembly Local Government Committee consultant is suggesting two technical amendments. The first would specify the Alameda CTC as the local entity that can adopt the ordinance to be placed on the ballot, and the second change would sunset the statute after the November 2012 election.</p>	ASSEMBLY L. GOV.	Alameda CTC-Sponsor
<a href="#"><u>AB 1097</u></a> <a href="#"><u>(Skinner)</u></a>	AB 1097 is sponsored by BART. This bill directs the Secretary of Business, Transportation & Housing to	ASSEMBLY TRANS.	

Transit projects: domestic content.	develop guidelines that would allow a preference on a transit project receiving federal funds to a bidder that uses a higher percentage of domestic content then required by federal law.		
<a href="#"><u>AB 1308</u></a> <a href="#"><u>(Miller)</u></a> Highway Users Tax Account: appropriation of funds.	In the event that a budget is not in place by July 1, this bill would provide that specified funds in the Highway User Tax Account money is continuously appropriated and may be encumbered before a budget is enacted.	ASSEMBLY TRANS.	
<a href="#"><u>AJR 5</u></a> <a href="#"><u>(Lowenthal, Bonnie)</u></a> Transportation revenues.	This resolution urges the President and Congress to study the feasibility of collecting transportation revenue based on vehicle miles travelled. The Assembly approved AJR 5 on a vote of 46-16, and added 42 co-authors to the resolution.	Senate Desk.	
<a href="#"><u>SB 234</u></a> <a href="#"><u>(Hancock)</u></a> State Board of Equalization: administration: use tax.	Consistent with AB 153 and AB 155, SB 234 proposes another avenue to expand the collection of sales and use tax on internet sales. SB 234 defines a retailer engaged in business in this state as a retailer that has substantial nexus with this state and a retailer upon whom federal law permits the state to impose a use tax collection duty. Currently, it is the responsibility of the consumer to remit use tax on internet purchases. This bill would shift the responsibility to vendors to collect and remit use taxes, just like any business with a physical presence in CA already does.	SENATE G. & F.	
<a href="#"><u>SB 582</u></a> <a href="#"><u>(Emmerson)</u></a> Commute benefit policies	SB 582 is authored by Senator Bill Emmerson and Assemblyman Jared Huffman (D), and it is sponsored by MTC and ABAG. This bill would authorize metropolitan planning commissions working with the local air district	SENATE T. & H.	

	<p>to adopt a regional commute benefit. In general, it would allow for a regional program that requires employers with 20 or more employees to provide one of the following commute alternative options:</p> <ul style="list-style-type: none"> <li>• Give employees the option to pay for their transit, vanpooling or bicycling expenses with pre-tax dollars, as allowed by federal law;</li> <li>• Offer employees a transit or vanpool subsidy;</li> <li>• Provide employees with a free shuttle or vanpool operated by or for the employer.</li> </ul>		
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SIMON AND COMPANY  
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# Washington Friday Report

Volume XIII, Issue 12

April 1, 2011

## INSIDE THIS WEEK

- 1 **FY11 Budget Battle, Debt Ceiling, FAA Extension**
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- 2 **Public Safety Telecom, President's Energy Plan**

*It's no April Fool's joke – seven days to go and a shutdown is still possible! We had almost two dozen Hill and agency meetings this week, and folks really are thinking about what to do and how to do it if the unthinkable occurs next week. All this and more from an interesting week below!*

### Budget Battle (Continued)

While it is clear that Democrats and Republicans are getting far closer to a number they can all agree upon, right now a reported \$33 billion in cuts for FY2011, there is still a great deal of debate about where the cuts are to be applied across the budget, and how policy riders will fit into the equation. Despite Vice President **Joe Biden's** announcement that congressional leaders had settled on a tentative \$33 billion figure, House Speaker **John Boehner** insists that absolutely no deal has been struck yet. *"There is no agreement on numbers, and nothing will be agreed to until everything has been agreed to."* Speaker Boehner still appears to have strong support from many Republican freshmen, although it remains unclear how many of them would back a compromise measure that did not deliver GOP-preferred cuts and policy changes.

Senate Majority Leader **Harry Reid** lamented about the negotiations: *"I am extremely disappointed that after weeks of productive negotiations with Speaker Boehner, Tea Party Republicans are scrapping all the progress we have made and threatening to shut down the government if they do not get all of their extreme demands. The division between the Tea Party and mainstream Republicans is preventing us from reaching a responsible solution on a long-term budget...and prevented negotiations from taking place over the weekend even as the clock ticks toward a government shutdown."* House Majority Leader **Eric Cantor** replied that it was the Senate Democrats failure to make the necessary cuts as the major factor holding up a budget agreement. It is clear than neither side wants a government

shutdown nor another short term extension, meaning a mutually agreeable budget must be produced before April 8<sup>th</sup>. Senator Reid's remarks can be found [here](#) and Leader Eric Cantor's remarks can be found [here](#).

### Debt Ceiling

Along with the highly contested debate over budget cuts, the issue over increasing the debt ceiling has also come to the forefront. Senator **Jerry Moran**, a member of the Senate Committee on Appropriations, sent a letter to President Obama criticizing him for his request to raise the debt ceiling. *"Americans are looking for leadership in Washington to confront the problems of today, not push them off on future generations. To date, you have provided little or no leadership on what I believe to be the most important issue facing our nation – our national debt. With no indication that your willingness to lead will change, I want to inform you I will vote "no" on your request to raise the debt ceiling."* Senator Moran's letter to the President can be found [here](#).

### House Approves FAA Extension

The House has approved a short-term Federal Aviation Administration extension that will continue to fund aviation programs at current levels for 60 days, through May 31, 2011. This extension will allow Congress to continue working on a long-term FAA bill. H.R. 1079, the "Airport and Airway Extension Act of 2011," was approved by voice vote. This week the House began consideration of the four-year FAA Reauthorization and Reform Act of 2011. The bill reduces spending to fiscal year 2008 levels, and requires FAA to identify savings in a manner that does not negatively impact aviation safety. Aviation Subcommittee Chairman **Tom Petri** said: *"H.R. 1079 is the first, and hopefully last, FAA extension of the 112th Congress. It is a simple, clean, short-term extension of the FAA's funding and programs. There is a strong commitment and much needed momentum to finally complete a long-term FAA bill, more than three years after the last reauthorization expired, and I fully believe we will do so."* The House Transportation Committee release can be found [here](#).

## Streamlining Transportation Programs

This week the Highways and Transit Subcommittee conducted a two-day hearing on a pending surface transportation reauthorization. The purpose of the hearing was to seek suggestions from the transportation community on how to streamline and consolidate programs, cut red tape to speed up the infrastructure project approval process, and create jobs through wise investment of limited resources. Over the past month, the Committee conducted a series of 16 field hearings and listening sessions around the country to gather similar input from states and local communities. Following hearings in Washington, work will begin on writing a six-year bill. House Subcommittee on Highways and Transit Chairman **John Duncan** and Ranking member **Peter Defazio** presided over the hearing. Chairman Duncan noted in his opening remarks: *"This reauthorization of the highway, transit, and highway safety programs will be more challenging than any other in recent memory. Fiscal constraints and calls for Congress to redefine the federal role in surface transportation will require us to consider dramatic changes to these programs... One of the key initiatives that the Subcommittee will focus on is streamlining the project delivery process. Time delays and inefficiencies in project delivery not only postpone needed improvements in our Nation's transportation infrastructure but also result in increases in the cost of projects... The Subcommittee will also be looking at innovative financing. Bonding, loan programs and public private partnerships are just some of the innovative financing techniques that the Subcommittee can utilize to leverage the Nation's limited Highway Trust Fund dollars."* The hearing included testimony from **William Millar** the President of the American Public Transit Association, **Barbara Windsor** the Chairman of the American Trucking Associations, and **Judith Lee Stone** the President of Advocates for Highway and Auto Safety, among many other notable leaders in the transportation field. The House Transportation Committee release can be found [here](#).

### Secretary LaHood: Budget and Reauthorization

This week the House Appropriations Subcommittee on Transportation, Housing, and Urban Development held a hearing on the Department of Transportation's FY2012 budget. The President is requesting \$129 billion for Transportation in FY 2012. DOT Secretary **Ray LaHood** testified before the committee in defense of the proposed budget. He noted that the centerpiece of the President's FY 2012 budget is the Administration's Surface Transportation Reauthorization proposal. The plan proposes four broad goals: 1) building for the future, 2) spurring innovation, 3) ensuring safety, and 4) reforming government and exercising responsibility. Secretary LaHood said: *"America is at a transportation crossroads. To compete for the jobs and industries of the future, we must out-*

*innovate and out-build the rest of the world. That is why President Obama called on the nation to repair our existing roadways, bridges, railways, and runways and to build new transportation systems – including a national high-speed intercity rail network – which will safely and efficiently move people and goods."* We have included the full text of Secretary LaHood's remarks for your review.

## Public Safety Communications

This week the Committee on Homeland Security held a hearing entitled *"Public Safety Communications: Are the Needs of Our First Responders Being Met?"* **Chairman King** in his opening remarks stated that a great number of issues in first responder communications were brought to light during the events of September 11<sup>th</sup>, but not enough has been accomplished to fix these problems. Chairman King also pointed out the significant bipartisan support of the D-Block allocation as well as the support of the White House. *"This is not a partisan issue - this is an America issue."* The hearing included testimony from **William D. Carrow** the President of The Association of Public-Safety Communications Officials, **Chief Jack Parow** the President and Chairman of the Board of the International Association of Fire Chiefs, **Sheriff Paul Fitzgerald** the 1st Vice President of the National Sheriffs' Association, and **Gregory Simay** the At-Large Director of the Los Angeles Regional Interoperable, Communication System. Their full testimonies can be found [here](#).

## The President's Energy Plan

This week **President Obama** delivered a speech at Georgetown University addressing the Administration's new plan for America's energy security. The two major components the President outlined as critical to preserving the nation's energy security were reducing oil imports and using innovation to improve clean energy opportunities. President Obama stated that by 2020 he wants to the U.S. oil dependence but by a third. *"Now, meeting the goal of cutting our oil dependence depends largely on two things: first, finding and producing more oil at home; second, reducing our overall dependence on oil with cleaner alternative fuels and greater efficiency."* The Administration proposes to support clean energy innovation by: Creating markets for clean energy; Cutting energy bills through more efficient homes and buildings; and Staying on the cutting edge through clean energy research and development. The Fact Sheet on the plan can n be found [here](#) and President Obama's speech can be found [here](#).

*Please contact Len Simon, Claire Colegrove or Rukia Dahir with any questions.*

**MEMORANDUM**

**TO:** Arthur Dao  
Alameda County Transportation Commission  
**FROM:** CJ Lake  
**RE:** Legislative Update  
**DATE:** April 1, 2011

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**FY11 Update**

The current short-term Continuing Resolution (CR) expires next Friday, April 8. This current CR cut another \$6 billion in current spending — bringing to \$10 billion the amount of spending that has been cut so far by CR extensions enacted in the past month. Negotiations between the two parties have made little headway; however, detailed negotiations on a tentative agreement on spending cuts began late yesterday in a major step that could prevent a government shutdown at the end of next week.

Democrats and Republicans are targeting about \$33 billion in cuts for the current fiscal year, although that number could change. This number amounts to about \$73 billion below the President's FY11 request, versus the \$100 billion in cuts Republicans were seeking in HR 1. Negotiations will also be occurring on the possible inclusion of policy provisions, or riders, that the House passed as part of HR 1 in February.

Speaker Boehner will be facing pressure from Republican conservatives, who want the full \$61.5 billion in spending cuts included in HR 1, as well as the policy riders Democrats most oppose — those dealing with Planned Parenthood and the health care law. At the targeted level of \$33 billion in cuts for negotiations, Republicans would be backing off from almost \$29 billion in cuts they had previously passed, while Democrats would be supporting an additional \$23 billion in cuts beyond the \$10 billion that had been enacted as part of the last two CR extensions. Many Republican freshmen and conservatives continue to call for enactment of the full \$61.5 billion in cuts, arguing that for negotiations to occur Senate Democrats need to first pass their own spending cut bill. Tea party groups rallied at the Capitol yesterday urging Republican lawmakers to stick to their campaign promises to make deep, immediate cuts in spending.

**Surface Transportation Authorization**

The current extension of the surface transportation programs runs through the end of the fiscal year (September 30<sup>th</sup>).

The longer term extension is expected to provide House Transportation and Infrastructure Chairman John Mica and Senate Environment and Public Works Committee Chairwoman Barbara Boxer time to draft a longer term bill. Chairwoman Boxer has said she wants to

have a bill marked up by the Memorial Day recess. Chairman Mica has said that he want to have a bill on the House floor in July. The T&I Subcommittee held a two-day hearing this week titled “Improving and Reforming our Nation’s Surface Transportation Programs”. The Subcommittee has scheduled another hearing for next week (April 5) titled “Policy Proposals to Reform the Nations Surface Transportation Programs”. We anticipate the Committee could release a draft bill later this month or in early May.