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Arthur L. Dao

October 12, 2012

Mr. Allen Fernandez Smith
President & CEO
Urban Habitat
1212 Broadway, Suite 500
Oakland, CA 94612

Dear Mr. Fernandez:

Over the past two years, the Alameda County Transportation Commission (Alameda CTC) has been diligently working with many partners on the development of a new Transportation Expenditure Plan (TEP) that will provide new funding opportunities for increased transportation to expand mobility, access, jobs and a sustainable Alameda County.

As you know, the adopted TEP has been placed on the November ballot in Alameda County and is known as Measure B1. As you may recall, during the development of the plan, we reached out on several occasions in partnership to you and your staff to ensure that we collectively developed a plan that supports the diverse transportation needs in Alameda County, and one that could achieve the 2/3 voters approval requirement in November. Through this collaborative effort, the TEP included programs advocated by Urban Habitat, including significantly increased funding for AC Transit and a student transit pass program. Both of these were included as a result of Urban Habitat's strong participation in the plan development process.

At our last meeting on June 6, 2012, you indicated to us that you were trying to bring Urban Habitat to a "yes" for supporting the TEP, but at minimum, that you were committed to a neutral position. Just recently, we received an informational flyer (Attachment A) about Measure B1 distributed by your staff that from our perspective is not neutral and contains incorrect and unbalanced information about the TEP that we worked so hard to develop in conjunction with the communities over the last two years. The flyer conveys the message that Measure B1 does not benefit our low income residents and workers and, therefore, it should not be supported. We feel that this message is not only unfair to the collaborative plan development efforts over the last two years, it is also unfair to the low income population who will be helped, if Measure B1 is approved in November. To be more specific and to illustrate our concerns, we provide our comments (in italics) to some of the misstatements contained in Urban Habitat's flyer as follows:

- “The TEP will cost the most to the lowest income families in Alameda County”: *This statement is not balanced, nor is it substantiated. The statement does not address the major increases in transit operating funds that will go to AC Transit and other transit operators, providing a benefit to those who are transit dependent. In addition, this statement is not balanced with information about a student transit pass program that is to be developed to support safe and affordable transportation to middle and high school students. Finally, it is unclear what information was used and how calculations were made to create the chart illustrating the impact on low-income households.*
- “The TEP leaves renters more vulnerable to rising rents and housing costs”: *This statement is unsubstantiated and incorrect. The Alameda CTC has not developed the funding criteria for the Sustainable Transportation and Land Use Linkages portion of the TEP. There is nothing specified in the TEP that will directly increase the vulnerability of renters.*
- “The student transit pass program will only support 24% of middle and high school students”: *The student transit pass program has not been developed and adopted by the Commission, and therefore, there is no way to count how many students will receive a student transit pass.*
- “The TEP reduces voter accountability”: *The TEP has extensive accountability measures, including, but not limited to, on-going public committee participation in delivery and oversight of the TEP; a Capital Improvement Program process which will be implemented at the Alameda CTC every two years, which will provide public opportunities to address project and program funding at specific and regular intervals; performance and accountability measures for every contract; strict project funding and environmental deadlines; and a commitment to keep all funds within the same mode, even if a project is not able to move forward.*
- “The BART to Livermore project will only support wealthy suburban commuters”: *An environmental document has just been initiated last month that will evaluate the project, including potential ridership. Urban Habitat’s statement is opinion and not based on data.*
- “People will have to wait until 2042 to vote on another expenditure plan”: *While the TEP is written to provide a funding framework for expenditures in the TEP through 2042, it does not require that voters have to wait until that time to act on a new TEP.*
- Current Measure B vs. Proposed Measure B1: *This chart is misleading to readers and provides false comparisons since the current measure has never been proposed to be extended to 2042. In addition, it is not clear what baseline or escalation factors were used in the calculation to determine if they are estimated accurately.*

Partnerships are built through mutual trust, respect and adherence to commitments. Urban Habitat staff’s distribution of information regarding Measure B1 is not consistent with Urban Habitat’s previously expressed neutral position. We, of course, desire to continue to work with many partners in addressing our land use and transportation issues in Alameda County. We request that any information about the TEP is fairly and accurately represented.

Allen Fernandez Smith

October 12, 2012

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If you have any questions regarding this letter, please feel free to contact me at 510-208-7400.

Sincerely,



ARTHUR L. DAO
Executive Director

Enclosure: Attachment A -- Urban Habitat flyer regarding Measure B1 on the November 2012 ballot

Cc: Mr. Mark Green, Chair of the Alameda CTC
Alameda CTC Commissioners
Tess Lengyel, ACTC Deputy Director of Policy, Public Affairs, and Legislation
Beth Walukas, ACTC Deputy Director of Planning



BALLOT MEASURE B1

What Is Measure B1?

Measure B1, if approved by a 2/3 vote in the November election, would double the current Measure B tax to 1 cent with no expiration date. Measure B, passed in 2000, is a 1/2-cent sales tax that supplies Alameda County's largest source of transportation funding.

How Does Measure B1 Relate to Current Measure B?

Though Measure B is set to expire in 2022, the Alameda County Transportation Commission (ACTC) is putting a new measure, B1, before the voters in November 2012 to raise more funds. With this expanded tax, ACTC expects to raise \$7.7 billion over the next 30 years — a massive increase in transportation funds for the county. If B1 passes, Alameda County residents will have to wait until 2042 to again shape how this transportation money is spent.ⁱ

How Measure B1 Affects Working Families of Color

Urban Habitat and its allies, as part of the Community Vision Coalition,ⁱⁱ worked to ensure that the B1 expenditure plan prioritizes the needs of Alameda County's low-income families and families of color. The Coalition focused on shifting funding from road and highway expansion to AC Transit bus operations, free bus passes for the county's middle and high school students, and safer streets for pedestrians and bicyclists.

Below is a summary of what Measure B1 means for Alameda County's working-class families of color. It includes our efforts to win concrete transportation improvements, as well as a list of our greatest concerns about the measure.

Benefits of Measure B1

- More than doubles funding for AC Transit, providing it with enough funds to restore most of the service cuts it has made over the past 3 years.ⁱⁱⁱ If Measure B1 doesn't pass, AC Transit will likely face another budget deficit in coming years, which will lead to more service cuts and fare hikes.
- Initiates a free student bus pass program. B1 would provide 3 years of dedicated funding and optional future funding that could cover an estimated 25% of all middle and high school students in Alameda County.
- Doubles funding for paratransit, meaning better mobility for seniors and people with disabilities.
- Greatly increases funds for improvements in bike/pedestrian safety. This means smoother roads, safer sidewalks, more bike lanes — and possibly more funds for city bus stops.

Concerns About Measure B1

- Expands one of the most regressive kinds of tax from ½ cent to 1 cent, permanently.^{iv}
- Puts down payment on the Livermore BART expansion. Like the Oakland Airport Connector, this would benefit commuters from the wealthy suburbs — not low-income communities that are suffering from steep service cuts.
- Reduces voter and community accountability beyond 2012. B1 would make the tax permanent and would only require a simple voter majority to approve future funding plans for the tax. The current requirement of 2/3 voter approval for new taxes gives community groups and advocates a stronger voice in shaping the plans for how the tax revenue is spent.

ⁱ ACTC plans to submit a new Measure B budget to the voters in 2042. However, it could decide to come back to voters sooner.

ⁱⁱ The Coalition included Albany Strollers and Rollers, Alameda Transit Advocates, Bay Localize, Bike Alameda, BOSS, Congregations Organizing for Renewal, Disability Action Network, East Bay Bicycle Coalition, Genesis, Greenbelt Alliance, HOPE Collaborative, St. Mary's Center, Transform, Urban Habitat, Walk Oakland Bike Oakland, and Youth Uprising.

ⁱⁱⁱ In 2010, AC Transit cut 15% of its service, including entire line eliminations, shorter hours, and less frequent service. It's the lowest levels of service in 10 years.

^{iv} A regressive tax places a heavier financial burden on low-income households than on high-income households because low-income households pay a higher percentage of their income toward the tax.

- Leaves renters more vulnerable to rising rents and housing costs — and therefore displacement. The increased funding for transit villages (more housing and business development near transit corridors and BART stations) does not require cities to protect existing renters from the displacement pressures that come with transit-oriented development (TOD).^v

Current Measure B vs. Proposed Measure B1

Where the Funds Go	Measure B* (\$millions)	Measure B1 (\$millions)	Increase/Decrease
AC Transit Operations	\$674	\$1,455	116%
Paratransit	\$387	\$774	100%
Student Bus Pass**	\$0	\$187	New
Bike/Pedestrian***	\$221	\$651	194%
Roads and Corridors***	\$942	\$2,187	132%
Transit-Oriented Dev.	\$42	\$300	610%
Highways	\$648	\$600	-7.4%
BART/Rail Projects	\$726	\$1,065	47%

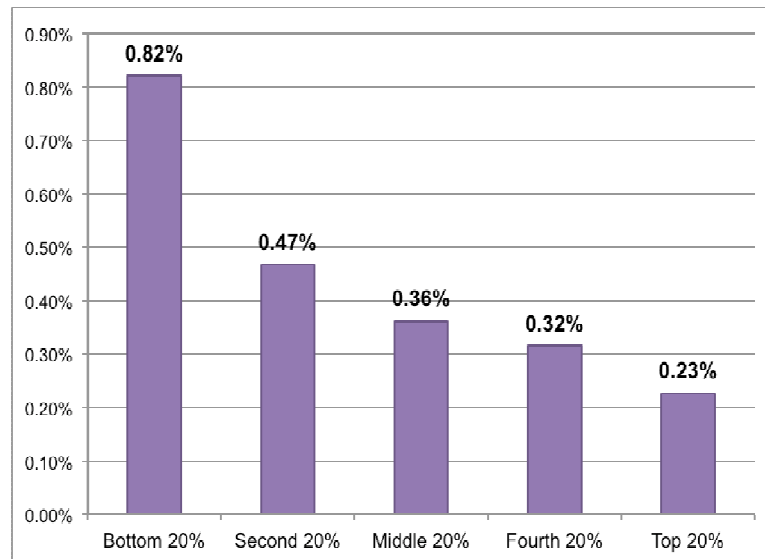
*Assumes Current Measure B is extended, as is, to 2042. **Only \$15 million is guaranteed for a 3-year trial period. The remaining \$174 million is a grant program that will give priority to “successful” student bus pass programs tested during the first 3 years. ***Fifteen percent of Local Streets and Roads funds will be used for pedestrian and bicycle improvements, which amounts to \$232 million for bikes/pedestrians.

The Cost to Low-Income Households in Alameda County

For families in the lowest two income categories, earning an average of \$14,000 a year and \$36,000 a year, respectively, the cost of the transportation sales tax doubles if Measure B1 passes. The lowest income households would pay an estimated additional \$57 every year, and the next-lowest income households would pay an extra \$84.^{vi}

Measure B1’s Impact on Households

(In quintiles; does not include other sales tax.)



The Fairness Factor: Costs to Low-Income Households vs. High-Income Households

As referenced above, sales tax is the most regressive tax that exists. The graph above reflects the amount each income quintile would pay, as a percent of income with Measure B1, or the 1-cent sales tax. The lowest income households would pay four times more, as a percentage of their income, than the highest income households.

For more information, please contact Lindsay Imai at lindsay@urbanhabitat.org or (510) 839-9510 x305.

<http://www.urbanhabitat.org>.

^v Urban Habitat and others are currently working to change the Alameda County policy to require that any of its Transit Oriented Development funding, including those from Measure B1, be conditioned on cities providing affordable housing and protecting against renter displacement. Contact us to get involved.

^{vi} In FY2008–2009, more than half of AC Transit riders reported a household income of less than \$25,000. As such, this analysis focuses on the bottom and second-income quintiles with 2008 average household incomes of \$13,887 and \$36,121, respectively (*American Community Survey, 1-Year Estimates 2008*).