



## Planning, Policy and Legislation Committee Meeting Agenda Monday, June 11, 2018, 10:30 a.m.

Committee Chair:	John Bauters, City of Emeryville	Executive Director:	Arthur L. Dao
Vice Chair:	Rebecca Kaplan, City of Oakland	Staff Liaison:	<a href="#">Tess Lengyel</a>
Members:	Jesse Arreguin, Keith Carson, Scott Haggerty, Barbara Halliday, John Marchand, Lily Mei, Elsa Ortiz	Clerk of the Commission:	<a href="#">Vanessa Lee</a>
Ex-Officio:	Richard Valle, Pauline Cutter		

### 1. Call to Order/Pledge of Allegiance

### 2. Roll Call

### 3. Public Comment

### 4. Consent Calendar

Page/Action

- |  |   |   |
|--|---|---|
| 4.1. <a href="#">Approve May 14, 2018 PPLC Meeting Minutes</a>   | 1 | A |
| 4.2. <a href="#">Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments Update</a> | 7 | I |

### 5. Regular Matters

- |  |    |     |
|--|----|-----|
| 5.1. <a href="#">Legislative Update</a>  | 11 | A/I |
| 5.2. <a href="#">BART Livermore Valley Extension Project Update</a>                              | 15 | I   |
| 5.3. <a href="#">Metropolitan Transportation Commission Regional Express Lane Network Update</a> | 19 | I   |

### 6. Committee Member Reports

### 7. Staff Reports

### 8. Adjournment

Next Meeting: Monday, July 9, 2018

#### Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda (3-minute limit), submit a speaker card to the clerk.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400. Hard copies available only by request.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).

- Alameda CTC is located near 12th St. Oakland City Center BART station and AC Transit bus lines. [Directions and parking information](#) are available online.



## Alameda CTC Schedule of Upcoming Meetings:

### Commission Chair

Supervisor Richard Valle, District 2

### Commission Vice Chair

Mayor Pauline Cutter,  
City of San Leandro

### AC Transit

Board President Elsa Ortiz

### Alameda County

Supervisor Scott Haggerty, District 1  
Supervisor Wilma Chan, District 3  
Supervisor Nate Miley, District 4  
Supervisor Keith Carson, District 5

### BART

Director Rebecca Saltzman

### City of Alameda

Mayor Trish Spencer

### City of Albany

Councilmember Peter Maass

### City of Berkeley

Mayor Jesse Arreguin

### City of Dublin

Mayor David Haubert

### City of Emeryville

Mayor John Bauters

### City of Fremont

Mayor Lily Mei

### City of Hayward

Mayor Barbara Halliday

### City of Livermore

Mayor John Marchand

### City of Newark

Councilmember Luis Freitas

### City of Oakland

Councilmember At-Large  
Rebecca Kaplan  
Councilmember Dan Kalb

### City of Piedmont

Vice Mayor Teddy Gray King

### City of Pleasanton

Mayor Jerry Thorne

### City of Union City

Mayor Carol Dutra-Vernaci

### Executive Director

Arthur L. Dao

Description	Date	Time
Alameda County Technical Advisory Committee (ACTAC)	July 5, 2018	1:30 p.m.
Finance and Administration Committee (FAC)	July 9, 2018	8:30 a.m.
I-680 Sunol Smart Carpool Lane Joint Powers Authority (I-680 JPA)		9:30 a.m.
I-580 Express Lane Policy Committee (I-580 PC)		10:00 a.m.
Planning, Policy and Legislation Committee (PPLC)		10:30 a.m.
Programs and Projects Committee (PPC)		12:00 p.m.
Independent Watchdog Committee (IWC)	July 9, 2018	5:30 p.m.
Paratransit Technical Advisory Committee (ParaTAC)	September 11, 2018	9:30 a.m.
Alameda CTC Commission Meeting	June 28, 2018	2:00 p.m.
Paratransit Advisory and Planning Committee (PAPCO)	June 25, 2018	1:30 p.m.
Bicycle and Pedestrian Community Advisory Committee (BPAC)	June 28, 2018	5:30 p.m.

All meetings are held at Alameda CTC offices located at 1111 Broadway, Suite 800, Oakland, CA 94607. Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org).

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Planning, Policy and Legislation Committee  
Meeting Minutes  
Monday, May 14, 2018, 10:30 a.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**1. Call to Order/Pledge of Allegiance**

**2. Roll Call**

A roll call was conducted. All members were present with the exception of Commissioner Arreguin and Commissioner Carson.

**Subsequent to the roll call:**

Commissioner Arreguin and Commissioner Carson arrived during item 5.1.

**3. Public Comment**

There were no public comments.

**4. Consent Calendar**

**4.1. Approval of the April 9, 2018 PPLC Meeting Minutes**

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

*Commissioner Haggerty moved to approve the Consent Calendar. Commissioner Marchand seconded the motion. The motion passed with the following votes:*

Yes: Bauters, Cutter, Halliday, Haggerty, Kaplan, Mei, Ortiz, Valle

No: None

Abstain: None

Absent: Arreguin, Carson

**5. Regular Matters**

**5.1. Approve legislative positions and receive an update on federal, state, and local legislative activities**

Tess Lengyel provided an update on federal, state, and local legislative activities. She updated the Commission on the state budget as well as the SB1 competitive grant program. Ms. Lengyel stated that the Alameda CTC has been recommended for funding from the Trade Corridor Enhancement Program, which is funded by Senate Bill (SB) 1. The California Transportation Commission (CTC) will take action on May 16, 2018 on \$191.6 million in projects that support Alameda CTC's adopted rail strategy.

Commissioner Halliday asked what is the approved funding for the study of the rail corridor. Ms. Lengyel said that the CTC is taking action on May 16, 2018 on the Seventh Street Grade Separation Project, Freight ITS and the City of Emeryville Rail Crossing Improvement. The California State Transportation Agency will take action on the Transit and Intercity Rail Capitol Program.

Ms. Lengyel recommended that the Commission take positions on the following bills and Chair Bauters requested the committee take action on each bill separately:

AB 1912 (Rodriguez) – Oppose position

*Commissioner Kaplan moved to approve the opposed position for AB 1912. Commission Cutter seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Cutter, Halliday, Haggerty Kaplan, Mei, Ortiz, Valle  
No: None  
Abstain: None  
Absent: Carson

AB 2304 (Holden) – Support and seek amendment position to add funding for affordable transit pass pilot programs.

*Commissioner Ortiz moved to approve this item. Commissioner Cutter seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Cutter, Halliday, Haggerty Kaplan, Mei, Ortiz, Valle  
No: None  
Abstain: None  
Absent: Carson

AB 2851 (Grayson) – Support if amended position to seek funding sufficient for the plans to be developed as described in the bill and for on-going updates.

Commissioner Ortiz asked will \$2 million be divided throughout the state and will it be enough funding. Ms. Lengyel stated that the \$2 million is for cities within the Metropolitan Transportation Commission (MTC) region.

Commissioner Arreguin asked where the \$2 million will come from and should we ask for more. Ms. Lengyel said the amendments I seek to ensure there is enough funding and it's ongoing.

*Commissioner Halliday moved to approve AB 2851 to support if amended. Commissioner Ortiz seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Carson, Cutter, Halliday, Haggerty Kaplan, Mei, Ortiz, Valle  
No: None  
Abstain: None  
Absent: None



## SB 957 (Lara) – Oppose position

Commissioner Halliday stated that the City of Hayward is recommending a neutral position on SB 957.

Commissioner Kaplan asked if SB 957 is referring to preexisting vehicles previously with a sticker. Ms. Lengyel said this bill will allow for a new sticker to be issued for a vehicle that previously had one, if a person meets an income threshold.

Ms. Lengyel said that staff's recommendation is based on a legislative platform that is focusing on non-degradation of the HOV lanes.

Commission Arreguin stated that he supports a neutral position.

Mr. Dao said the discussion today regarding this bill is around equity issues and congestion relief using managed lanes. On the equity issue, Alameda CTC wants to make sure that exceptions are not made for one group of drivers. Under the legislation from a congestion relief perspective all people may use the HOV lanes. Mr. Dao stated that only on freeways that have room will we have carpool/managed lanes.

Commissioner Ortiz suggested the Commission table this position and get more information.

*Commissioner Kaplan moved to continue AB 957 for more information. Commissioner Halliday seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Carson, Cutter, Halliday, Haggerty Kaplan, Mei, Ortiz, Valle  
No: None  
Abstain: None  
Absent: None

## SB 1119 (Newman) – Support position

Commissioner Ortiz asked if this bill is flexible for how transit agencies use the funds. Ms. Lengyel said yes.

*Commissioner Cutter moved to support SB 1119. Commissioner Mei seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Carson, Cutter, Halliday, Haggerty Kaplan, Mei, Ortiz, Valle  
No: None  
Abstain: None  
Absent: None

#### SB 1434 (Leyva) – Support position

*Commissioner Ortiz moved to support SB 1434. Commissioner Marchand seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Carson, Cutter, Halliday, Haggerty Kaplan, Mei, Ortiz, Valle  
No: None  
Abstain: None  
Absent: None

#### SB 1466 (Glazer) – Withdraw support

*Commissioner Bauters moved to withdraw support on SB 1466. Commissioner Kaplan seconded the motion. The motion passed with the following vote:*

Yes: Arreguin, Bauters, Carson, Halliday, Haggerty Kaplan, Mei, Ortiz  
No: None  
Abstain: None  
Absent: None

### **5.2. Plan Bay Area Update**

Tess Lengyel stated that this item is an update on regional planning efforts. She introduced Saravana Suthanthira who presented this item. Ms. Suthanthira stated that earlier this year MTC and the Associated Bay Area Governments (ABAG) have begun the next update to the Plan Bay Area, the region's Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The update schedule is early 2018 to mid-2021. She stated that MTC/ABAG is adopting a different approach to the development of the RTP/SCS by performing the update in two phases: 1) Visionary concepts in the first phase called Horizon and 2) Traditional planning in the second phase as part of the RTP/SCS development. Ms. Suthanthira covered the process overview, call for projects and analysis, the mega projects for June 2018 call and she concluded with the Plan Bay Area 2050 near term next steps.

Commission Haggerty asked why the I-680/SR 84 Interchange Improvements are not on the list of projects. Ms. Lengyel said that it is on the list of projects for Regional Measure 3 and that it can be added to the Plan Bay Area major projects list.

Commissioner Kaplan asked when projects are due for submission. Ms. Lengyel said that the final call has not been issued. The process is currently under development and Alameda CTC generated a preliminary list for the Commission.

Commissioner Kaplan asked if Transit Oriented Development (TOD) type of projects are eligible. Ms. Lengyel said that a list of TOD projects are not defined.

Commissioner Kaplan asked will the Rail Strategy Study include quite zones. Ms. Lengyel said yes.

Commissioner Valle asked who is taking the lead on Blue Sky Horizon. Ms. Lengyel said MTC and ABAG is taking the lead.

This item is for Information only.

**6. Committee Member Reports**

There were not member reports.

**7. Staff Reports**

There were no staff reports.

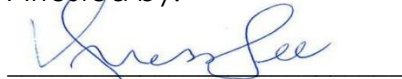
**8. Adjournment/ Next Meeting**

The next meeting is:

Date/Time: June 11, 2018 at 10:30 a.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 94607

Attested by:

A handwritten signature in blue ink, appearing to read "Vanessa Lee", is written over a horizontal line.

Vanessa Lee,  
Clerk of the Commission

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# Memorandum

4.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** June 4, 2018

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

**FROM:** Saravana Suthanthira, Principal Transportation Planner  
Chris G. Marks, Associate Transportation Planner

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

## Recommendation

Summary of Alameda CTC's review and comments on Environmental Documents and General Plan Amendments update. This item is for information only.

## Summary

This item fulfills one of the requirements under the Land Use Analysis Program (LUAP) element of the Congestion Management Program (CMP). As part of the LUAP, Alameda CTC reviews Notices of Preparations (NOPs), General Plan Amendments (GPAs), and Environmental Impact Reports (EIRs) prepared by local jurisdictions and comments on them regarding the potential impact of proposed land development on the regional transportation system.

Since the last update on May 14, 2018, the Alameda CTC reviewed one DEIR. A response was submitted and is included in Attachment A.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

## Attachment:

- A. Response to the DEIR for the Turk Island Landfill Consolidation and Residential Subdivision Project in Union City

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April 30, 2018

Carmela Campbell  
City of Union City  
34009 Alvarado-Niles Road  
Union City, CA 94587

**SUBJECT:** Response to the Turk Island Landfill Consolidation and Residential Subdivision Project Draft Environmental Impact Report (DEIR) in Union City

Dear Ms. Campbell,

Thank you for the opportunity to respond to the Notice of Availability of the Turk Island Landfill Consolidation and Residential Subdivision Project Draft Environmental Impact Report (DEIR). The project is located in Union City near the intersection of Carmel Way and Westport Way. The project involves relocating landfill debris from a 6.3-acre parcel to the adjacent Turk Island Landfill and subsequent development of a 33-unit residential subdivision.

We have reviewed the DEIR and determined that this project is exempt from review under the Congestion Management Program Land Use Analysis Program as it will not generate 100 p.m. peak-hour trips in excess of existing land use designations. We have no further comments.

Thank you for the opportunity to respond to this DEIR. Please contact me at (510) 208-7426 or Chris G. Marks, Associate Transportation Planner at (510) 208-7453 if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Saravana Suthanthira".

Saravana Suthanthira  
Principal Transportation Planner

cc: Chris G. Marks, Associate Transportation Planner

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# Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** June 4, 2018

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

**FROM:** Tess Lengyel, Deputy Executive Director of Planning and Policy

**SUBJECT:** June Legislative Update

## Recommendation

It is recommended that the Commission approve legislative positions and receive an update on federal, state, and local legislative activities.

## Summary

The May 2018 legislative update provides information on federal and state legislative activities and recommendations on current legislation.

## Background

The Commission approved the 2018 Legislative Program in December 2017. The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy. The final 2018 Legislative Program is divided into six sections: Transportation Funding; Project Delivery and Operations; Multimodal Transportation, Land Use, and Safety; Climate Change and Technology; Goods Movement; and Partnerships. The program is designed to be broad and flexible to allow Alameda CTC the opportunity to pursue legislative and administrative opportunities that may arise during the year, and to respond to political processes in the region as well as in Sacramento and Washington, DC.

Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative updates.

## Federal Update

Alameda CTC staff will provide a verbal update on federal legislative activities if there are pertinent activities to report.

## State Update

Platinum Advisors, Alameda CTC's state lobbying firm, provided the following summary of state activities.

**SB 1 Repeal:** The repeal of SB 1 by a proposed Constitutional amendment initiative is moving toward ballot. The deadline to submit at least 585,407 signatures is May 21<sup>st</sup>. The proponents have announced that they will be submitting over 940,000 signatures for verification.

At this point each county must conduct a random sampling of signatures to verify that sufficient signatures are valid. The deadline for the random sampling is June 25<sup>th</sup>. If the random sampling verification results in less than 95% valid rate then the initiative fails to qualify. If the sampling represents between 95%-110% of the required number of signatures, then the Secretary of State will require counties to verify every signature, known as a "full check." If the number of signatures represents more than 110% of the required signatures then the initiative qualifies without the full check requirement.

According to the Secretary of State's website an initiative that meets the signature requirements becomes eligible for the next ballot 131 days prior to next general election. For the SB 1 repeal initiative that 131 day deadline is June 28<sup>th</sup> in order to be placed on the November 2018 ballot. If a full check is required, the time required to verify each signature will push the SB 1 repeal initiative to the November 2020 ballot. While the Secretary of State's office regularly updates the progress on the random sampling, it is currently too early to tell if a full check will be required. Based on the small number of random checks completed the validity rate is only at 70%, and none of the counties reporting so far have a validity rate above 95% -- except for Alpine County which verified both of its signatures.

**Supermajority approval:** The California Business Roundtable is one of the main proponents of an initiative that expands the requirement for a two-thirds vote on taxes and fees. There are two proposals circulating; one applies to both state and local taxes and fees, and another applies only to local taxes and fees.

The objective of these initiatives is to reverse Supreme Court decisions. The court decisions include the City of Upland case that found Prop 218 does not apply to citizen initiatives that impose taxes or fees; the Cal Chamber v. CARB decision that found that the cap & trade program is not a tax or a fee; and the Schmeer v. Los Angeles County case that found that requiring retailers to collect 10 cents for

providing paper bags was not an illegal fee. The changes go beyond these court cases, and would require any local tax and most fees to be approved by a two-thirds vote regardless of whether it is a special or general purpose tax.

The initiative that applies to both state and local fees and taxes has already submitted signatures to qualify. Both of the initiatives were required to submit 585,407 valid signatures. The random sampling currently shows 76% of the signatures to be valid; however as of June 1<sup>st</sup> at the time of this writing, some of the largest counties have not submitted their random sampling results.

To keep track of the signature verification process for both of these initiatives at the Secretary of State's website, visit: <http://www.sos.ca.gov/elections/ballot-measures/initiative-and-referendum-status/initiatives-and-referenda-pending-signature-verification/>

**Budget:** After the release of the May Revision on May 11th, budget subcommittees met multiple times to examine changes to the governor's proposals and to prioritize their own budgets. At the end of May, both the Senate Budget Committee and Assembly Budget Committee adopted their respective budget interests, and the Budget Conference Committee convened to resolve differences between the two houses.

The May Revision includes new spending proposals reaching \$4 billion. These new spending priorities are primarily onetime expenses and include \$2 billion for infrastructure investments, \$359 million in homeless assistance programs for local governments, \$312 million for mental health services, and an additional \$96 million in cap & trade revenue for the Forrester Carbon Plan.

This new spending is made possible through tax revenue exceeding expectations by \$3.8 billion above the January estimate, pushing the total budget surplus to \$8.8 billion. The budget continues to call for fully funding the Rainy Day Fund at \$13.8 billion by making a supplemental \$3 billion payment. In addition, the May Revision would direct \$3.2 billion to the traditional budget reserve fund – nearly triple its historical size.

**Transportation Budget:** The following are transportation related items adopted by the Senate and Assembly Budget Subcommittees that will be advanced into the final negotiated budget.

- SB 1 Local Expenditures: Senate Sub 2 and Assembly Sub 3 adopted placeholder budget trailer bill language that would allow cities or counties to borrow from internal funds to advance projects and then reimburse themselves with future SB 1 allocations.
- Indirect Cost Rate: Senate Sub 2 and Assembly Sub 3 adopted the same compromise on the Self-Help Counties Coalition's proposal to exempt Self-

Help counties from Caltrans' indirect cost charges. The compromise would cap the rate Caltrans can charge Self-Help counties for indirect costs at 10%. This cap would sunset in three years. This is an important effort to lower the costs for delivering transportation projects on the state highway system

The Senate and Assembly Conference Committee will wrap up their work on a negotiated budget prior to the June 15<sup>th</sup> budget deadline.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.



# Memorandum

5.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** June 4, 2018

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

**FROM:** Tess Lengyel, Deputy Executive Director of Planning and Policy  
Cathleen Sullivan, Principal Transportation Planner

**SUBJECT:** BART Livermore Valley Extension Project Update

## Recommendation

This item is to provide the Commission with an update on the BART Livermore Valley Project.

## Summary

A BART extension to Livermore has been a part of regional transportation planning for many years and was included in the 2014 Transportation Expenditure Plan. On May 24th, the BART Board took an action to certify the environmental document, but did not select a preferred alternative. At the June meeting, BART will provide an update on the BART to Livermore project, its history, recent BART Board actions and next steps for the project.

## Background

A BART extension to Livermore has been under consideration for many years. Some recent major milestones for the project were:

- BART completed a Program EIR for the project in 2010 which evaluated the feasibility of five potential station sites and 10 different alignments for the BART to Livermore extension. The BART Board selected a preferred "Portola-Vasco" alignment which would originate at the existing Dublin/Pleasanton Station in the median of I-580, diverge from the I-580 corridor at Airway Boulevard (just west of the existing Portola interchange), transition to a subway under Portola and Junction Avenues to a station adjacent to the existing ACE station in Downtown Livermore, and extend at-grade parallel to the existing UPRR tracks to a terminus station at Vasco Road.
- Within the next year, voters in Livermore put an initiative on the ballot which passed to keep BART in the median of I-580.

- In early 2012, the BART Board directed staff to advance the conceptual engineering and project-level environmental review of a one-station extension to Isabel Avenue, which is the initial segment of both the Board's preferred alternative and that of the citizens of Livermore. The BART Board directed staff to evaluate transit alternatives using express lanes, express bus services, reserved lanes, and a type of light rail service, as well as conventional BART. They also directed staff to coordinate with the City of Livermore on the land use planning around the future station site.
- In 2014, Measure BB passed which included \$400M for BART to Livermore. The expenditure plan states:  
*"This project funds the first phase of a BART Extension within the I-580 Corridor freeway alignment to the vicinity of the I-580/Isabel Avenue interchange using the most effective and efficient technology. Funds for construction for any element of this first phase project shall not be used until full funding commitments are identified and approved, and a project-specific environmental clearance is obtained. The project-specific environmental process will include a detailed alternative assessment of all fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process."*
- In October 2017, AB758 created the Tri-Valley San Joaquin Valley Regional Rail Authority (TVSJVRRA) for "purposes of planning, developing, and delivering cost-effective and responsive transit connectivity between the Bay Area Rapid Transit District's rapid transit system and the Altamont Corridor Express commuter rail service in the Tri-Valley that meets the goals and objectives of the community."<sup>1</sup> The legislation states that the TVSJVRRA cannot infringe upon BART's process to plan, develop, and deliver a BART extension to Isabel; the restriction expires July 1, 2018 if the BART does not adopt a BART extension to Isabel by June 30, 2018.
- BART completed the full Project Environmental Impact Report (EIR) for BART to Isabel in spring 2018. In May 2018, the BART Board unanimously certified the Final EIR, but did not select a preferred alternative. The Board passed a motion directing the General Manager not to advance an alternative, effectively passing over to the TVSJVRRA the ability to plan for a connection from ACE (and beyond) to the Dublin/Pleasanton BART Station.
- AB 758 requires the TVSVRRA to prepare a project feasibility report by July 1, 2019 on the development and implementation of transit connectivity between BART and ACE in the Tri-Valley.

Additional history on the project and the environmental process can be found here:  
<https://www.bart.gov/about/projects/liv/history>.

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<sup>1</sup> Assembly Bill No. 758, [https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180AB758](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB758)

At the June meeting, BART will provide an update on the BART to Livermore project, its history, recent BART Board actions, and next steps for the project.

**Fiscal Impact:** There is no fiscal impact associated with the requested action.

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# Memorandum

5.3

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** June 4, 2018

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

**FROM:** Tess Lengyel, Deputy Executive Director of Planning and Policy  
Liz Rutman, Director of Express Lanes Implementation and Operations

**SUBJECT:** Metropolitan Transportation Commission Regional Express Lane Network Update

## Recommendation

Provide direction to staff on the Metropolitan Transportation Commission (MTC) proposal for unified governance of the Bay Area Express Lanes Network.

## Summary

Alameda CTC operates two express lane corridors within the planned 550-mile Bay Area Express Lanes Network. The Santa Clara Valley Transportation Authority (VTA) and Bay Area Infrastructure Funding Authority (BAIFA) operate the other two corridors currently open for use in the Bay Area. Designated operating agencies for the remaining planned corridors are under development for certain lanes and others are not completely defined. MTC has proposed consideration of a unified governance of the Bay Area Express Lanes Network under BAIFA and has been in discussion with several members of its Board regarding a unified concept.

All express lanes currently use the Bay Area Toll Authority (BATA, one of the member agencies of BAIFA) for toll collection services.

## Background

Assembly Bill (AB) 2032 (Dutra, 2004) authorized the Sunol Smart Carpool Lane Joint powers Authority (Sunol JPA), VTA, and the Alameda County Congestion Management Agency (ACCMA) to each operate express lanes in the Bay Area, with two express lane corridors authorized in Alameda County. Alameda CTC, on behalf of Sunol JPA and as successor agency to ACCMA, operate the I-680 Sunol Express Lane that opened in September 2010 and the I-580 Express Lanes that opened in February 2016. VTA operates the 880-237 Express Lanes, which opened in March 2014, and MTC operates the I-680 Contra Costa Express lanes that opened in October 2017.

While a unified governance could create benefits, there are several factors to consider regarding this proposal, including a significant issue regarding how gross and net revenues would be allocated. AB 2032 requires that revenues generated from the express lanes are first allocated to expenditures related to the operations (including collection and enforcement), maintenance, and administration of the express lanes in the corridor which generated the revenue. The remaining (net) revenues must be allocation for transportation purposes within the program area through the adoption of an expenditure plan and may include funding for development and construction of high occupancy vehicle (HOV) facilities and transit capital and operations that directly serve the authorized corridors. Alameda CTC adopted the Interstate 580 Express Lanes 20 Year Expenditure Plan in April 2018 and expects to utilize the funds to create a reserve, support express lane expansion and to support transit operations with the corridor as well as capital investments that would benefit the corridor.

Other areas of consideration:

- MTC only recently became an express lane operator and is still ramping up their experience in utilizing these lanes as a congestion management tool. There are many issues associated with developing and delivering express lanes that have not yet been proven by MTCs current experience with the I-680 lane in Contra Costa County.
- While BATA has a track record of violation management for the state-owned toll bridges, comprehensive violation management for the all-electronic tolling of the express lanes has not yet been fully implemented.
- The BAIFA Commission would approve all corridor expenditure plans.
- The MTC proposal is to calculate net revenue for the entire network and allocate to corridors based on share of gross revenue. This formula may lower the net revenues available for expenditure in the Alameda CTC express lane corridors.
- The MTC proposal defines "corridor" based on travel patterns irrespective of county boundaries or limits of original sponsor agency facility. This leaves open the potential for net revenues to be spent outside of Alameda County, which would be inconsistent with AB 2032.
- BAIFA will operate the Interstate 880 Express Lanes, which are a conversion of HOV lanes funded by Measure B. However, MTC has thus far asserted that Alameda CTC will not participate in development of the expenditure plan for that corridor.
- BAIFA could implement express lane policies that adversely impact local streets without giving the local jurisdictions or local CMA a voice.
- If expansion of existing lanes is desired in a county, it is not clear how the development and delivery of such a project would occur.

Staff is seeking direction from the Commission on how to proceed with future discussions regarding MTC's unified express lane governance proposal.

**Fiscal Impact:** There is no fiscal impact associated with the requested action at this time.

**Attachment:**

- A. Bay Area Express Lanes Network Part 2 presentation, MTC Commissioner Discussion, May 23, 2018

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# Bay Area Express Lanes Network Part 2

Commissioner Discussion

May 23, 2018



BAY AREA  
EXPRESS LANES

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METROPOLITAN TRANSPORTATION COMMISSION



# 1. What are the benefits of unified governance?



Single set of rules for travelers



Integration with corridor management strategies



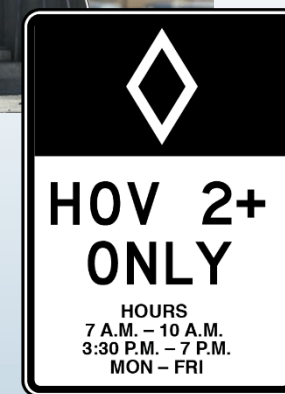
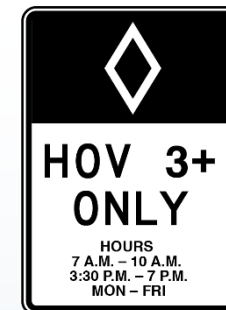
Robust financial enterprise



Seat at the table for all corridor partners



# Single Set of Rules for Travelers



## Consistency Achieved

- Signage
- FasTrak<sup>®</sup> account rules and services



## Headed in the Right Direction

- Hours of operation
- Use of toll violation enforcement systems and switchable tags
- Tolling clean air vehicles



## More Work to Do

- Increase occupancy from HOV-2 to HOV-3
- Philosophy on adjudicating toll violations

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# Robust Financial Enterprise (1)

- BATA has contributed \$500 million in bridge tolls to fund HOV and express lanes
- Other features
  - BATA has financed \$10 billion for transportation & toll projects; \$250 million reinvested in transit core capacity; and \$400 million loaned to other projects
  - Network diversity – \$1 billion “hard deck” and AA credit rating
  - Established track record in project delivery, O&M and violation management



# Robust Financial Enterprise (2)

Best achieved by a multi-corridor network that can absorb economic downturns and cost overruns and is positioned to meet the state's growing demand for maintenance



I-680 Sunol opened in 2010  
and operated in the red until  
FY 2016-17

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# Bay Area Infrastructure Financing Authority (BAIFA)

- **Joint Powers Authority** created by MTC and BATA in 2006 to finance the toll bridge seismic program
- **Amended in 2011** to implement and operate express lanes
- **Membership** comprised of Commissioners representing counties with BAIFA express lanes
- **Members have voice in**
  - **Policy:** Toll rates and operations
  - **Funding:** capital and operating expenditures
  - **Contracts:** costs and performance
  - **Net Revenue:** expenditure plan

## BAIFA Membership

1. MTC Chair
2. BATA Oversight Chair
3. MTC Commissioner from Alameda County
4. MTC Commissioner from Contra Costa County
5. MTC Commissioner from Solano County
6. Cal STA (non-voting)



## LEGEND

BAIFA Lanes



## 2. What is net revenue?

Hypothetical Example	
Gross revenue	\$1 B
Less debt service	(\$0.1 B)
Less O&M	(\$0.4 B)
Less rehab and reserves	(\$0.2 B)
Net revenue	\$0.3 B

**Staff Proposal:** Net revenue is calculated for the enterprise and will be allocated to corridors based on share of gross revenue

### 3. What are eligible uses of net revenue?

- Corridor management strategies
- Completing express lanes in corridor
- Other transportation investments in corridor, including transit

CMA and MTC staff develop corridor net revenue expenditure plan to be adopted by BAIFA

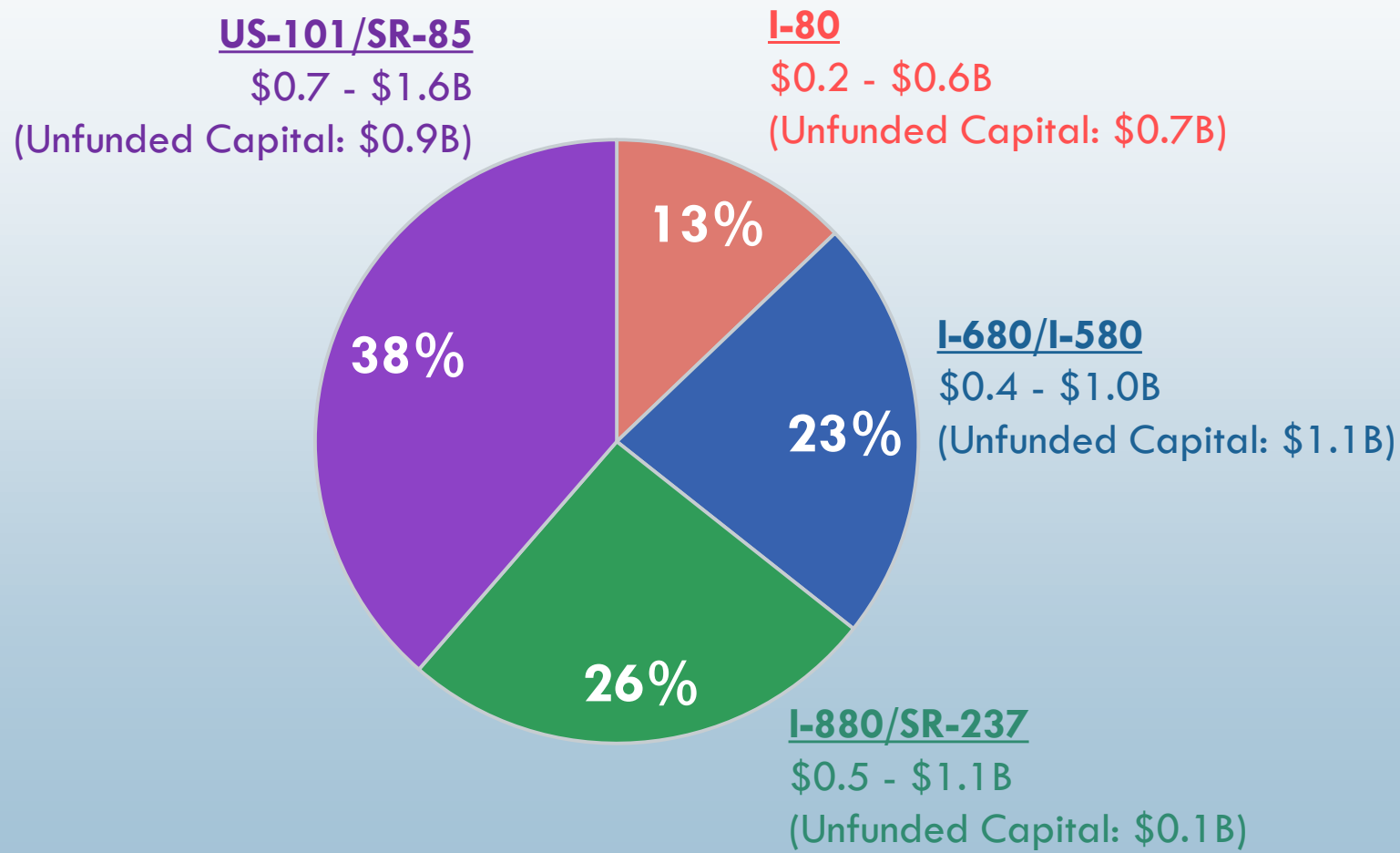
## 4. What is estimated net revenue?





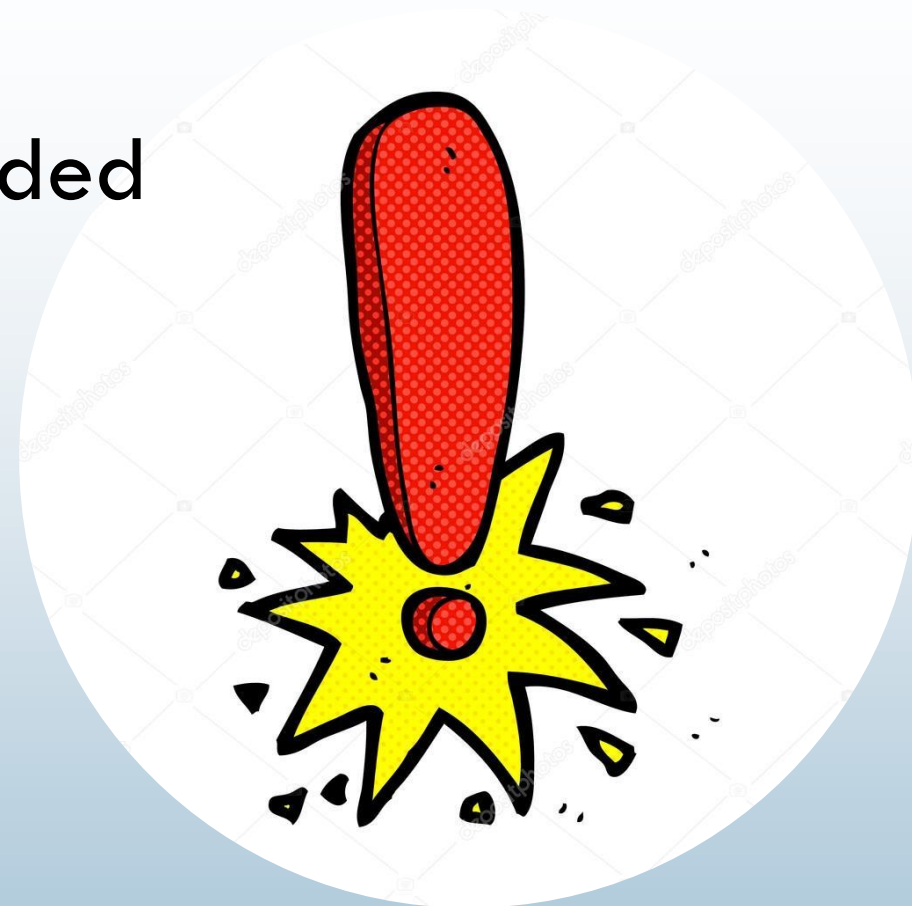
# Estimated Net Revenue by Corridor

Based on Corridor Share of Gross Revenue  
Total amounts through 2040 (billions of inflated dollars)



# Assumptions

- Capital cost of network is grant-funded and built by 2025
- HOV-3 policy network-wide





# Next Steps



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