



Planning, Policy and Legislation Committee Meeting Agenda Monday, April 8, 2019, 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:	Tess Lengyel
Members:	Jesse Arreguin, Keith Carson, Scott Haggerty, Barbara Halliday, John Marchand, Lily Mei, Elsa Ortiz	Clerk of the Commission:	Vanessa Lee
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. Approve March 11, 2019 PPLC Meeting Minutes | 1 | A |
| 4.2. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments Update | 9 | I |

5. Regular Matters

- | | | |
|---|----|-----|
| 5.1. Federal, state, regional, and local legislative activities update | 17 | A/I |
| 5.2. Approve the Active Transportation Program Resolution of Local Support and contract amendments for Safe Routes to Schools | 27 | A |

6. Committee Member Reports

7. Staff Reports

8. Adjournment

Next Meeting: Monday, May 13, 2019

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

Vice President Rebecca Saltzman

City of Alameda

Mayor Marilyn Ezzy Ashcraft

City of Albany

Mayor Rochelle Nason

City of Berkeley

Mayor Jesse Arreguin

City of Dublin

Mayor David Haubert

City of Emeryville

Councilmember 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 Sheng Thao

City of Piedmont

Vacant

City of Pleasanton

Mayor Jerry Thorne

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Arthur L. Dao

Description	Date	Time
Paratransit Program Plan Review Subcommittee (PPR)	April 22, 2019	9:30 a.m.
Alameda CTC Commission Meeting	April 25, 2019	2:00 p.m.
Alameda County Technical Advisory Committee (ACTAC)	May 9, 2019	1:30 p.m.
Finance and Administration Committee (FAC)	May 13, 2019	9:00 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.
Bicycle and Pedestrian Community Advisory Committee (BPAC)	May 16, 2019	5:30 p.m.
Joint Paratransit Advisory and Planning Committee (PAPCO) and Paratransit Technical Advisory Committee (ParaTAC)	May 20, 2019	1:30 p.m.
Alameda CTC Commission Retreat	May 30, 2019	9:30 a.m.
Paratransit Advisory and Planning Committee (PAPCO)	June 24, 2019	1:30 p.m.
FAC Audit Committee	June 27, 2019	4:30 p.m.
Independent Watchdog Committee (IWC)	July 8, 2019	5:30 p.m.
Paratransit Technical Advisory Committee (ParaTAC)	September 10, 2019	9:30 a.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).



Planning, Policy and Legislation Committee Meeting Minutes Monday, March 11, 2019, 10:30

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.

Commissioner Bacon was present as an alternate for Commissioner Mei.

3. Public Comment

There were no public comments.

4. Consent Calendar

4.1. Approval of the February 11, 2019 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 Halliday requested to clarify language in the minutes regarding item 5.1 to state "...there is language in the bill that does improve multi-modal safety and the language does require coordination..."

Commissioner Haggerty moved to approve the consent calendar with the amendment to the minutes. Commissioner Ortiz seconded the motion. The motion passed with the following votes:

Yes: Bacon, Bauters, Carson, Cutter, Haggerty, Halliday, Kaplan, Marchand, Ortiz, Valle

No: None

Abstain: None

Absent: Arreguin

5. Regular Matters

5.1. Federal, state, regional, and local legislative activities update

Tess Lengyel updated the Commission on federal, state, regional and local legislative activities update. Commissioner Bauters noted that at both the January and February 2019 Alameda CTC Commission meetings, the Commission discussed the importance of addressing housing bills in this legislative session and directed staff to include housing bills that have a transportation relationship in the legislative work of Alameda CTC. He noted that the committee will first approve legislation on recommended by staff and then move into a more detailed discussion on legislation with a housing linkage.

Ms. Lengyel recommended that the Commission approve the following bills:
AB 252 (Daly)
SB 137 (Dodd)
ACA 1 (Aguiar-Currys)

Commissioner Ortiz asked regarding ACA 1 what is included in public infrastructure. Ms. Lengyel listed the wide array of infrastructure such as water, sanitary sewer, sea level rise impact, improvement to public transit.

Commissioner Kaplan asked if there is any action taken on parking placard abuse. Ms. Lengyel noted that in 2017 the state audited the Department of Motor Vehicles and found that placard abuse is occurring. The state implemented changes to the application placard and renewal process. Ms. Lengyel noted and the law went in place in 2018 to address this issue. She stated that staff will provide information on those bills at the full Commission meeting.

Commissioner Haggerty requested an amendment to the recommendation to add additional language from the Metropolitan Transportation Commission (MTC) on SB 137. Ms. Lengyel stated Alameda CTC would not have a problem adding the language from MTC on SB 137.

Commissioner Cutter made a motion to approve staff recommendations on the three bills with the amendment from MTC on SB 137. Commissioner Haggerty seconded the motion. The motion approving AB 252, SB 137 and ACA 1 passed with the following votes:

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

State Bills with Transportation and Housing Linkage

On March 4, 2019, staff reviewed and discussed a multitude of bills related to transportation and housing with the PPLC Chair. Staff and the Chair have provided the committee with a handout to address the Commission's direction to staff regarding housing bills with a transportation nexus. The handout covered bills related to the CASA Compact that do not have a relationship to transportation, legislation related to CASA Compact Elements 5, 7, 8, 9, 10; and housing legislation with a transportation nexus not related to the CASA Compact.

SB 50 (Wiener)

Commissioner Halliday asked what is the community planning process to handle lowering the parking requirements in the cities.

Commissioner Kaplan asked what percentage of housing has to be met. Ms. Lengyel noted that there is no percentage in the bill so it is at the discretion of the legislature.

Commissioner Kaplan asked if there is language in the bill regarding parking unbundling. Ms. Lengyel noted that there is no language referring to bundling or unbundling of parking.

Commissioner Marchand noted that Santa Clara and San Francisco have created 9,000 jobs but have added no new housing yet CASA is looking to other cities to solve the housing problems.

Commissioner Carson suggested that the agency continue to add comments on SB 50 as the bill moves through the legislature instead of making a recommendation and being locked in a position. He noted that it is important for the agency to submit comments on how to move the bill forward.

Commissioner Bauters noted that if local government is serious about improving the housing conditions in the Bay Area, there needs to be movement on these bills at a local level.

Commissioner Kaplan noted that if comments are submitted they must include a significant affordability incentive percentage. She suggested adding language to the bill that requires a fee to be paid in proportion to a jurisdictions housing/job imbalance.

Commissioner Carson made a motion to select a working group or subcommittee of the Commission to vet and compile comments on SB 50. Commissioner Bauters seconded the motion. The Chair of PPLC will work with staff to recommend the composition of the Committee to Chair Valle. The motion to create a subcommittee passed with the following votes:

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

SB 4 (McGuire)

Commissioner Cutter asked if this bill will eliminate CEQA. Ms. Lengyel said the bill will eliminate CEQA requirement however, Mr. Dao noted that it does not eliminate CEQA from the city perspective as there is room to negotiate the proper mitigation impacts.

Commissioner Halliday made a motion to oppose SB 4. Commissioner Bacon seconded the motion. A votes roll call was taken and the following vote was taken to oppose the bill:

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

AB 1226 (Holden)

Commissioner Kaplan made a motion to support AB 1226. Commissioner Halliday seconded the motion. The motion passed with the following votes:

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

AB 1486 (Ting)

Commissioner Bauters motioned to support AB 1486. Commissioner Cutter seconded the motion. The motion passed with the following votes:

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

SB 211 (Beall)

Commissioner Kaplan made a motion to support SB 211. Commissioner Bacon seconded the motion. The motion passed with the following votes:

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

AB 11 (Chiu)

Commissioner Cutter made a motion to support AB 11. Commissioner Haggerty seconded the motion. The motion passed with the following votes:

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

AB 847 (Grayson)

Commissioner Kaplan made a motion to support AB 847. Commissioner Carson seconded the motion. The motion passed with the following votes:

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

SB 5 (Beall)

Commissioner Cutter asked if the bill will effect direct funding to schools. Ms. Lengyel noted that the schools would not be impacted as it is currently written and the idea is that the general fund would backfill any funding lost.

Commissioner Carson stated that he thought funding incentives would go towards workforce housing for teachers and those working in the schools. Ms. Lengyel noted that the bill covers workforce housing and generally affordable housing.

Commissioner Bauters made a motion to support SB 5 if amended to add language to ensure schools are not affected by the backfill of ERAF funds and that there is not a lag in the timing for the backfill. Commissioner Kaplan seconded the motion. The motion passed with the following votes:

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

AB 1487 (Chiu)

Commissioner Haggerty requested that AB 1487 be included in the full Commission packet. No vote was taken on this item.

AB 148 (Quirk-Silva)

Commissioner Kaplan made a motion to support AB 148. Commissioner Bacon seconded the motion. The motion passed with the following votes:

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

AB 1568 (McCarty)

There was discussion on language in AB 1568 referring to the definition of production of housing and RHNA requirements. Mr. Dao noted that the goal of the bill is to promote housing which is good, but he questioned the precedent that would be set once resources are taken away from transportation services and if the state ties housing policies to transportation funding.

Commissioner Kaplan made a motion to watch/remain neutral on AB 1568. Commissioner Haggerty seconded the motion. The motion passed with the following votes:

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

AB 1717 (Friedman)

Commissioner Kaplan made a motion to support. Commissioner Halliday seconded the motion. The motion passed with the following vote:

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

SB 128 (Beall)

Commissioner Kaplan made a motion to support SB 128. Commissioner Ortiz seconded the motion. The motion passed with the following vote.

Yes: Bacon, Bauters, Carson, Cutter, Haggerty, Kaplan, Marchand, Ortiz, Valle
No: None
Abstain: None
Absent: Arreguin

6. Committee Member Reports

There were no committee member reports.

7. Staff Reports

There were no staff reports.

8. Adjournment/ Next Meeting

The next meeting is:

Date/Time: April 8, 2019 at 10:30 a.m.

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

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Memorandum

4.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: April 1, 2019

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

This item is to provide the Commission with an update on the summary of Alameda CTC's review and comments on Environmental Documents and General Plan Amendments. 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 March 11, 2018, the Alameda CTC reviewed one NOP and one Draft EIR. Responses were submitted and are included as Attachments A and B.

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

Attachments:

- A. Response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Thornton Middle School Conversion Project in Fremont
- B. Response to the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the City of Pleasanton Downtown Specific Plan

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March 13, 2019

John Chwastyk
Director of Facilities
Fremont Unified School District
4210 Technology Drive
Fremont, CA 94538

SUBJECT: Response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Thornton Middle School Conversion Project in Fremont

Dear Mr. Chwastyk,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the Thornton Middle School Conversion Project. The project site is located at 4357 Thornton Avenue in northern Fremont. The site is approximately 18 acres in size, bordered by the residential subdivision south of Oak Street to the Northeast, Thornton Avenue/State Route 84 to the Southeast, Coronado Drive to the Southwest, and the Rancho Coronado Gardens subdivision to the Northwest. The site currently contains the existing Thornton Junior High School campus (Thornton) with 43 classrooms. The proposed project would demolish the existing school entrance building and build a new 9,560 square-foot structure to replace it; a series of four new two-story classroom structures totaling 35,400 square feet oriented to create courtyard-style outdoor learning spaces; and a 485 square foot addition to an existing building. Additionally, the Project will include reconfigurations and structural upgrades to the school locker room; facility modernizations to the existing multi-use room, modular buildings, and various classroom buildings; redevelopment of campus hardtop play areas; creation of new parking areas and a vehicle turnaround; and campus-wide Information Technology upgrades.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Basis for Congestion Management Program (CMP) Review

- It appears that the proposed project may generate 100 p.m. peak hour trips over existing conditions, and therefore the CMP Land Use Analysis Program requires the City to conduct a transportation impact analysis of the project. For information on the CMP, please visit: <https://www.alamedactc.org/planning/congestion-management-program/>.

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP requires local jurisdictions to conduct travel model runs themselves or through a consultant. The City of Fremont and the Alameda CTC signed a Countywide Model Agreement on April 1, 2008. Before the model can be used for this project, a letter must be

submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request. The most current version of the Alameda CTC Countywide Travel Demand Model was updated in June 2018 to be consistent with the assumptions of Plan Bay Area 2040.

Impacts

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include:
 - State Route 84 (Thornton Ave, Peralta Blvd, Mowry Ave), Interstate 880, Fremont Blvd, Paseo Padre Pkwy, and Central Ave.
 - For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts.
 - The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see Chapter 6 of the 2017 CMP for more information).
- The DEIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include: AC Transit, Amtrak, and the Altamont Corridor Express
 - Transit impacts for consideration include the effects of project vehicle traffic on mixed flow transit operations, transit capacity, transit access/egress, need for future transit service, and consistency with adopted plans. See Appendix J of the 2017 CMP document for more details.
- The DEIR should address potential impacts of the project to cyclists on the Countywide Bicycle Network.
 - Countywide bicycle facilities in the project area include:
 - Planned extension of the Fremont Blvd Bike Lane, Thornton Ave Bike Lane
 - Impacts to consider on conditions for cyclists include effects of vehicle traffic on cyclist safety and performance, site development and roadway improvements, and consistency with adopted plans. See Appendix J of the 2017 CMP document for more details.
- The DEIR should address potential impacts of the project to pedestrians in Pedestrian Plan Areas of Countywide Significance as defined by the Countywide Pedestrian Plan.
 - The Project overlaps with an Area of Countywide Pedestrian Significance:
 - The site is located within a 1/2 mile of a transit corridor
 - Impacts to consider on conditions for pedestrians include effects of vehicle traffic on pedestrian access and safety, site development and roadway improvements, and consistency with adopted plans. See Appendix J of the 2017 CMP document for more details.
- The DEIR should consider safety issues specific to active freight and passenger rail infrastructure located in the project area, as applicable.

Mitigation Measures

- Alameda CTC's policy regarding mitigation measures is that to be considered adequate they must be:
 - Adequate to sustain CMP roadway and transit service standards;
 - Fully funded; and
 - Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan (CTP), and the Regional Transportation Plan (RTP) or the Federal Transportation Improvement Program, if the agency relies on state or federal funds programmed by Alameda CTC.
- The DEIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The DEIR should also address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.
- Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify impacts to automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
- The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful during the review of the development proposal and analysis of TDM mitigation measures (See Appendices F and G of the 2017 CMP).

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

Sincerely,



Saravana Suthanthira
Principal Transportation Planner

cc: Chris G. Marks, Associate Transportation Planner

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March 18, 2019

Richard Patenaude
Contract Planner
City of Pleasanton
Community Development Department
P.O. Box 520
Pleasanton, CA 94566

SUBJECT: Response to the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the City of Pleasanton Downtown Specific Plan

Dear Mr. Patenaude,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the City of Pleasanton Downtown Specific Plan. The plan covers 319 acres in central Pleasanton. The Plan area is approximately bound by the Alameda County Fairgrounds to the west; the Arroyo del Valle and Union Pacific Railroad tracks to the north; portions of Second and Third Streets to the east; and Bernal Avenue to the south. The proposed Plan provides a policy framework which would apply to new development and redevelopment within the Plan area, as well as streetscape changes.

The Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

- Impact 3.12-1 of the DEIR considers the impacts of the proposed Plan on the existing circulation system. However, it does not include an analysis of the CMP routes including I-680, which was identified in our response to the Notice of Preparation of the DEIR dated April 9, 2018. Please include an impact analysis for I-680 in the DEIR.
- The proposed Plan area is adjacent to the Alameda County Fairgrounds. However the DEIR does not consider potential impacts due to special event traffic. The DEIR should consider potential impacts during events at the Fairgrounds.
- Alameda CTC acknowledges that under Impact 3.12-2 the DEIR indicates that any future development within the Plan area that generates more than 100 peak-hour trips would be required to evaluate, and potentially mitigate any identified traffic impacts.
- Alameda CTC also acknowledges that under Impact 3.12-6, the DEIR states that the proposed Plan uses a Complete Streets approach intended to improve the safety of transit and bicycle

facilities, and that amendments to the City's Bicycle and Pedestrian Master Plan will ensure avoiding any future conflicts.

Thank you for the opportunity to comment on 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 black ink, appearing to read 'Saravana Suthanthira', with a long horizontal stroke extending to the right.

Saravana Suthanthira
Principal Transportation Planner

cc: Chris G. Marks, Associate Transportation Planner



Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: April 1, 2019

TO: Planning, Policy and Legislation Committee

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

SUBJECT: Federal, state, regional, and local legislative activities update

Recommendation

This item is to provide the Commission with an update on federal, state, regional, and local legislative activities and recommendation on specific bills included in this memo.

Summary

Each year, Alameda CTC adopts a legislative program to provide direction for its legislative and policy activities for the year. The program is designed to be broad and flexible, allowing Alameda CTC 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, D.C.

The 2019 Alameda CTC Legislative Program is divided into six sections for Transportation Funding, Project Delivery and Operations, Multimodal Transportation, Land Use and Safety, Climate Change and Technology, Goods Movement, Partnerships. Partnership throughout the Bay Area and California on legislation and policy issues will be key to the success of the 2019 Legislative Program

Background

The Commission approved the 2019 Legislative Program in December 2018 (Attachment A). The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy.

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 and policy updates. The following are updates that include information from Alameda CTC state and federal lobbyists, Platinum Advisor and CJ Lake, respectively.

State Update

In mid-March, Governor Newsom released a housing budget trailer bill that would form the basis of implementing the Governor's proposal to accelerate the short and long-term development of housing in California. The proposal also includes the stick that could take away SB 1 local streets and roads funds from local government if they do not zone for the local fair share of housing. The language is a rough draft that needs a fair amount of polishing, but it provides an outline for the Governor's plan.

Short-Term Goals: The language directs the Department of Housing & Community Development (HCD) identify short term statewide housing production goals. The goals would be based on the sum of three years of a county's current annualized regional housing needs allocation that would be achieved in calendar years 2020 and 2021. The new targets would build on the regional housing need goals for the region, and no region, city or county would have a target lower than its existing annualized target. The targets for each city and county would be determined as follows:

- Share of households within the county.
- Share of low-income households paying more than 50% of income toward housing within the county.
- Share of the current number of jobs available within the county

Long Term Reform: The language includes legislative declaration to develop a process that creates a transparent, fair, and objective process for identifying housing needs, and includes compliance outcomes through incentives and enforcement. HCD is directed to collaborate with the Office of Planning and Research and form a stakeholder group to develop an improved regional housing needs allocation process that streamlines and promotes housing development. The findings of this process must be completed by December 31, 2022.

Incentive Funds: The language would create the Local Government Planning Support Grant program. This program would implement the one-time grant funding included in the Governor's budget to update existing planning and zoning, as well as rewards for local entities that demonstrate progress toward increased housing production.

Planning Grants: The budget includes \$250 million for planning grants to cities, counties, and regions to implement necessary changes to comply with the new short-term housing goals.

Half of these funds would be for regional entities as defined in the language for developing regional action plans to achieve the short-term goals. While the definition includes the usual regional entities, such as ABAG, SCAG, and SACOG, it also groups the remaining counties into regions, which makes this process a little confusing. Between August 15th and December 31, 2019, the regions can apply to receive the planning funds. HCD would have 30 days to review the application and allocate up to 50% of the grant amount. The grant amount allocated to each region would be based on the number and size of each city and county within the region.

By December 31, 2019, the regions must prepare and submit an action plan that specifies a strategy to meet the short-term housing goals. The action plan must include among other elements an engagement process with the local jurisdictions, analysis of local policies and practices, yearly action plan goals for each city and county, and a mechanism to evaluate progress in meeting the goals. These funds can be spent on technical assistance, feasibility studies, developing policies that link transportation funds to housing outcomes, and infrastructure planning including sewers, water systems, transit and roads.

The remaining \$125 million would be awarded to cities and counties that demonstrate a commitment to participate in the development of the action plan. The grant amounts to cities and counties would be based on population with the largest grants totaling \$750,000 for jurisdictions with a population over 200,000. These funds would be allocated by December 31, 2019. If the city or county is located in a region that did not submit a regional request for funds, that city or county may still apply for funds.

Reward Funds: The budget includes \$500 million earmarked for rewarding regions and local jurisdictions for demonstrated progress toward increased housing production. These funds can be used for any purpose. These funds would be allocated to regions based on that region's proportionate share of the annual housing target. The region would then develop an award methodology to allocate these funds to each city and county that meets specified criteria. For a city or county to receive the reward funds it must have a compliant housing element, have sufficient land zoned for housing to meet its goals, and submitted annual progress reports.

The Stick: The language requires HCD in collaboration with CalSTA and the Office of Planning and Research to engage a stakeholder group to propose "opportunities" to link receipt of SB 1 local streets and roads funds and other non-housing funding to meeting the required housing goals, such as having a compliant housing element and compliance with housing progress reports. These recommendations can be implemented administratively or through the legislative process.

However, the language goes on to allow beginning on July 1, 2023, to withhold any SB 1 local streets and roads funds from any city or county that does not have a compliant housing element and has not zoned for its annual housing goals. This is a lower bar than having to actually produce housing, but it gets worse. Starting by May 1, 2023, HCD shall report to the Controller the list of cities and counties that do not meet the housing requirements and the amount of funds to be withheld from the following fiscal year's allocation. The Controller would then reapportion the withheld funds to those cities and counties that comply with the housing requirements. Under this language there is no second chance.

Legislation: The following are recommended bill positions on transportation related bills. An Alameda CTC legislative working group was established at the March Commission meeting and is addressing both SB 50 and SB 4 and may have additional recommendation or an update at the Commission meeting.

- **AB 659 (Mullin D) Transportation: emerging transportation technologies:** California Smart City Challenge Grant Program. AB 659 requires the CTC to form a working group, consisting of local governments and transportation entities that would develop the guidelines and selection criteria for the Smart City Challenge Grants. The bill envisions funding projects that use intelligent transportation systems and applications that would reduce congestion, enhance mobility, safety, and spurring innovation. The bill does not currently identify or appropriate funds for this program. *Staff recommends a support position on this bill.*
- **AB 1350 (Gonzalez D) Youth Transit Pass Pilot Program.** AB 1350 would create the Youth Transit Pass Pilot Program. This bill is similar to prior efforts to create a funding program to provide free transit passes to persons under 25 years old. AB 1350 does not include an appropriation, but points to a future appropriation of green house gas reduction funds. The bill directs Caltrans to create the program that would allocate grants to eligible entities. The grants would be capped at \$5 million and be no smaller than \$20,000. UCLA is currently undertaking a study to examine and summarize the various types of student transit pass programs in California. In a previous legislative session, former Governor Brown vetoed a similar bill due to the need for additional information on existing programs. The UCLA study is not expected to be completed until the end of this year. Alameda CTC's adopted legislative program supports funding specifically that could expand Alameda CTC's Affordable Student Transit Pass programs. *Staff recommends a support position.*
- **SB 127 (Wiener D) Transportation funding: active transportation: complete streets.** This bill would establish a Division of Active Transportation within the Department of Transportation and require that an undersecretary of the Transportation Agency be assigned to give attention to active transportation

program matters to guide progress toward meeting the department's active transportation program goals and objectives. The bill would require the California Transportation Commission to give high priority to increasing safety for pedestrians and bicyclists and to the implementation of bicycle and pedestrian facilities. The bill would require Caltrans, by January 1, 2021, when undertaking any capital improvement project on a state highway or a local street crossing a state highway that is funded through the State Highway Operation and Protection Program, to include new pedestrian and bicycle facilities, or improve existing facilities, as part of the project. The bill would require the department to establish a project development team for each project and designate 3% of State Highway Operation and Protection Program funds from the Road Maintenance and Rehabilitation Account for bicycle and pedestrian facilities. *Staff recommends a support and seek amendments position on this bill to allow for bicycle and pedestrian improvements to be funded within ½ mile of the state highway corridor if a continuous and connected corridor is established for bicycle and pedestrian facilities that cannot be accommodated most effectively within the state corridor.*

- **SB 152 (Beall) Department of Motor Vehicles. Active Transportation Program.**

The existing Active Transportation Program (ATP) is administered by the California Transportation Commission (CTC) and a portion by metropolitan planning organizations (MPO) in urban areas with populations greater than 200,000. Current law requires the commission to award 50% of available funds to projects competitively awarded by the commission on a statewide basis, 10% of available funds to projects in small urban and rural regions, and the remaining 40% of available funds to projects selected by MPOs. This bill proposes to change the funding percentages, in particular because the types of projects are typically of a smaller scale and could be addressed potentially more effectively at the regional level.

SB 152 would make the following changes to ATP:

- Expedite bicycle and pedestrian improvements by shifting the responsibility for administering the metropolitan portion directly to MPOs and eliminates the need for each individual project to be allocated by the CTC. This is similar to how MPOs administer federal Surface Transportation Block Grant Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) federal funds.
- Modify the share of funds distributed by formula as follows:
 - Increase regional share from 40-percent to 75-percent (similar to the State Transportation Improvement Program).
 - Support rural and small areas by increasing their share of dedicated funding from 10-percent to 15-percent (similar to their

ATP funding in the last four cycles) and allow them to compete for the statewide share.

- Reduce the state's share from 50-percent to 10-percent for transformative projects
- Increase project benefits reporting requirements to the state so the effectiveness of the program can be evaluated.
- Allow bicycle and pedestrian counts to be funded through the program

Staff recommends a support position on this bill.

- SB 50 (Beal) and SB 4 (McGuire): An update will be provided at the Commission meeting regarding the progress of the working group discussions on these two bills.

Federal Update

Congress reached a spending deal and the president signed bills by the February 15 deadline to fund the government for the remainder of FY19. The spending package contained appropriations bills for Agriculture-FDA, Interior-Environment, Transportation-Housing and Urban Development, State-Foreign Operations, Financial Services, Commerce-Justice-Science and Homeland Security.

Federal Surface Transportation Reauthorization: The Fixing America's Surface Transportation (FAST) Act funds the nation's federal surface transportation program. The FAST Act bill was signed by President Barack Obama on December 4, 2015. The \$305 billion, five-year bill was funded without increasing transportation user fees. The bill will expire in 2020.

The federal gas tax was last raised in 1993 and it is anticipated that action on development of a new transportation/infrastructure bill could take place this year and would include a particular focus on how to address funding the nation's transportation system.

On-going hearings are being conducted in different committees on the need to address transportation and infrastructure. These hearings are initiating discussions on the need for infrastructure investments and methods to pay for it. It is anticipated that a bill could be introduced later this year to address the federal surface transportation needs. Staff will provide updates as activities on transportation reauthorization efforts continue to evolve.

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

Attachments:

- A. Alameda CTC 2019 Legislative Program
- B. SB 152 Fact Sheet



2019 Alameda County Transportation Commission Legislative Program

The legislative program herein supports Alameda CTC's transportation vision below adopted for the 2016 Countywide Transportation Plan:

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

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

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none"> • Oppose efforts to repeal transportation revenues streams enacted through SB1. • Support efforts that protect against transportation funding diversions. • Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures. • Support the implementation of more stable and equitable long-term funding sources for transportation. • Ensure fair share of sales tax allocations from new laws and regulations • Seek, acquire, accept and implement grants to advance project and program delivery.
	Protect and enhance voter-approved funding	<ul style="list-style-type: none"> • Support legislation and increased funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations. • Support increases in federal, state, and regional funding to expedite delivery of Alameda CTC projects and programs, including funding to expand the Affordable Student Transit Pass program. • Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures. • Support efforts that streamline financing and delivery of transportation projects and programs. • Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems. • Support statewide principles for federal surface transportation reauthorization and/or infrastructure bills that expand funding and delivery opportunities for Alameda County
Project Delivery and Operations	Advance innovative project delivery	<ul style="list-style-type: none"> • Support environmental streamlining and expedited project delivery, including contracting flexibility and innovative project delivery methods. • Support high-occupancy vehicle (HOV)/express lane expansion in Alameda County and the Bay Area, and efforts that promote effective implementation. • Support efforts to allow local agencies to advertise, award, and administer state highway system contracts largely funded by local agencies.
	Ensure cost-effective project delivery	<ul style="list-style-type: none"> • Support efforts that reduce project and program implementation costs. • Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforces training programs.
	Protect the efficiency of managed lanes	<ul style="list-style-type: none"> • Support HOV/managed lane policies that protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement. • Support legislation that clarifies and enables effective toll processing, resolution of unpaid tolls, and interoperability. • Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.
	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none"> • Support legislation that increases flexibility and reduces barriers for infrastructure improvements that link transportation, housing, and jobs.

Issue	Priority	Strategy Concepts
Multimodal Transportation, Land Use and Safety		<ul style="list-style-type: none"> • Support local flexibility and decision-making regarding land-uses for transit oriented development (TOD) and priority development areas (PDAs). • Support funding opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.
	Expand multimodal systems, shared mobility and safety	<ul style="list-style-type: none"> • Support policies that provide increased flexibility for transportation service delivery through programs that address the needs of commuters, youth, seniors, people with disabilities and low-incomes, and do not create unfunded mandates. • Support policies that enable shared mobility innovations while protecting the public interest, including allowing shared data (such as data from transportation network companies and app based carpooling companies) that could be used for transportation and land use planning and operational purposes. • Support investments in active transportation, including for improved safety and Vision Zero strategies. • Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs, and education. • Support parity in pre-tax fringe benefits for public transit, carpooling, and vanpooling and other modes with parking. • Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring
Climate Change and Technology	Support climate change legislation and technologies to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> • Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including transitioning to zero emissions transit fleets. • Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions. • Support emerging technologies such as alternative fuels and fueling technology to reduce GHG emissions. • Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning. • Support the expansion of zero emissions vehicle charging stations. • Support efforts that ensure Alameda County jurisdictions are eligible for state funding related to the definition of disadvantaged communities used in state screening tools.
Goods Movement	Expand goods movement funding and policy development	<ul style="list-style-type: none"> • Support a multimodal goods movement system and efforts that enhance the economy, local communities, and the environment. • Support goods movement policies that enhance Bay Area goods movement planning, funding, delivery, and advocacy. • Support legislation and efforts that improve the efficiency and connectivity of the goods movement system, including passenger rail connectivity. • Ensure that Alameda County goods movement needs are included in and prioritized in regional, state and federal goods movement planning and funding processes. • Support rewarding Self-Help Counties that directly fund goods movement infrastructure and programs. • Leverage local funds to the maximum extent possible to implement goods movement investments in Alameda County through grants and partnerships.
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> • Support efforts that encourage regional and mega-regional cooperation and coordination to develop, promote, and fund solutions to regional transportation problems and support governmental efficiencies and cost savings. • Partner with community and national organizations and other partners to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs. • Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.

**SENATOR JIM BEALL****SB 152 Active Transportation Program Reform Act****ISSUE**

Over the last five years, the Active Transportation Program (ATP) has constructed many important bicycle and pedestrian improvements statewide. However, the program has also evolved into a complex, time-consuming, and costly program for project sponsors to navigate and for the state and regional agencies to administer.

Significant state resources in the form of Caltrans staff, California Transportation Commission (CTC) staff and commissioners are consumed by application review and project allocations for hundreds of small-scale projects that would make more sense to administer at the regional level. Meanwhile, funding levels for each of the state's metropolitan areas, where the funds are most needed, are highly unpredictable due to the majority of the funds being administered through a statewide competitive grant program.

In addition, despite huge demand for ATP funds, project savings and or ATP funds freed up from projects that missed deadlines are currently sent to the State Highway Account, rather than reinvested in further bicycle and pedestrian enhancements.

BACKGROUND

The ATP program was established by the legislature to fund projects that increase active modes of transportation across the state including walking and biking, increase safety for non-motorized users, reduce greenhouse gas admissions, and enhance public health. SB 1 (Beall) infused an additional \$100 million in new funding and dramatically increasing the potential impact of promoting ATP projects across the state.

Currently the funds are distributed as follows:

- Statewide Competitive ATP - 50% to the state for a statewide competitive program

- Small Urban and Rural - 10% to the small urban and rural area competitive program to be managed by the state
- Regional ATP - 40% to the large urbanized area competitive program, with funding distributed by population and managed by the Metropolitan Planning Organization (MPO).

The Legislative Analyst's Office (LAO) recently released a report reviewing the ATP program. The report identified several areas to improve the administration of the program, including many offered by this bill. It is time for a more rational approach that offers a simpler and more transparent application process, delivers bike and pedestrian safety improvements faster, and provides regions with a more predictable level of funding.

THIS BILL

SB 152 would make the following changes to ATP:

- Expedite bicycle and pedestrian improvements by shifting the responsibility for administering the metropolitan portion directly to MPOs and eliminates the need for each individual project to be allocated by the CTC. This is similar to how MPOs administer federal Surface Transportation Block Grant Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) federal funds.
- Modify the share of funds distributed by formula as follows:
 - Increase regional share from 40-percent to 75-percent (similar to the share of funds provided to regions in the State Transportation Improvement Program).
 - Hold rural and small areas near harmless by increasing their share of dedicated funding from 10-percent to 15-percent, a similar proportion they received of overall ATP funding in the last four cycles, while still allowing these areas to compete for the statewide share.

- Reduce the state's share from 50-percent to 10-percent and focus state share on transformative projects, consistent with the LAO recommendation.
- Increase reporting requirements from the regional agencies to CTC to determine the tangible benefits of the program and the impacts of the reforms.
- Allow bicycle and pedestrian counts to be paid for as part of a project's costs so as to provide better reporting of ATP project benefits.

SUPPORT

Metropolitan Transportation Commission (Sponsor)

FOR MORE INFORMATION

Estevan Ginsburg
Office of Senator Jim Beall
(916) 651-4015
estevan.ginsburg@sen.ca.gov





Memorandum

5.2

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

R2S_DATE: April 1, 2019

TO: Planning, Policy and Legislation Committee

FROM: Tess Lengyel, Deputy Executive Director of Planning and Policy
Leslie Lara-Enríquez, Associate Program Analyst

SUBJECT: Active Transportation Program Grant Award

Recommendation

It is recommended that the Commission take the following actions related to the \$3,761,000 of Cycle 4 Regional Active Transportation Program (ATP) funding recommended by the Metropolitan Transportation Commission (MTC) for the Alameda County School Travel Opportunities program:

- 1) Approve Alameda CTC Resolution 19-002, committing the necessary matching funds and stating assurance to complete the project (Attachment A);
- 2) Allocate \$418,000 of discretionary Measure B Bike and Pedestrian funding to provide the local matching funds; and
- 3) Authorize the Executive Director to execute amendments to the existing three Safe Routes to Schools professional services agreements to incorporate the ATP funding, local Measure B matching funds and associated scope of work, as follows:
 - Agreement No. A17-0075 with Alta Planning + Design, Inc. — Amendment No. 2 for an additional \$237,263 for a total not-to-exceed amount of \$2,937,263 for Direct Student Safety Training services;
 - Agreement No. A17-0076 with Alta Planning + Design, Inc. — Amendment No. 3 for an additional \$35,974 for a total not-to-exceed amount of \$1,266,727 for School Site Assessments, Data Collection and Analysis and Program Evaluation services; and
 - Agreement No. A17-0077 with Toole Design Group, LLC — Amendment No. 3 for an additional \$473,313 for a total not-to-exceed amount of \$3,218,388 for Education and Outreach services.

Summary

The Alameda CTC is recommended by MTC to receive \$3.761 million of Cycle 4 ATP funding to implement a new program that expands the SR2S program to new schools while also combining it with the educational curriculum of the Student Transit Pass Pilot (STPP) program. MTC requires a Resolution of Local Support by May 1, 2019 (Attachment A). Additionally, an allocation of \$418,000 of discretionary Measure B funding is requested to provide the required local matching funds. The ATP funding is scheduled for final approval by the California Transportation Commission (CTC) in June 2019. Subsequent to the approval, the Alameda CTC will amend the contracts, as authorized, to include the subject funding and scope in time for the School Travel Opportunities program to start early September 2019.

Background

The Alameda County SR2S program is a countywide program that promotes safe walking, bicycling, carpooling and the use of transit to travel to and from school. The program is now in its 13th year of operations. In July 2018, staff applied for \$3.761 million of Cycle 4 ATP funding to implement a new School Travel Opportunities Program, which fully integrates two of Alameda CTC's effective active transportation programs—Safe Routes to Schools and the Student Transit Pass Pilot (STPP) Program. The new program will bring the SR2S program to approximately 70 new schools and integrate it with the STPP education curriculum, which specifically targets upper grade students' transportation needs. Program implementation is modeled after Alameda CTC's innovative Access Safe Routes Pilot Program, which provides tailored support to under-resourced schools in the initial year of implementation in order to identify and address the barriers to increased use of active modes while at the same time building internal leadership that results in a more sustainable program in the long term. The total program cost is \$4,179,000 for four years.

MTC recommended the application for Regional ATP funding and has requested a resolution of local support by May 1, 2019 (Attachment A). The Regional ATP program is scheduled for final approval by the California Transportation Commission (CTC) at its June 30-31, 2019 meeting. The program is scheduled to start early September 2019.

Fiscal Impact: The fiscal impact of approving the recommended actions will be that allocated funds will be encumbered for subsequent expenditures. The encumbered funds and expenditures will be included in the Alameda CTC budget for the fiscal years of expenditure.

Attachment:

- A. Alameda CTC Resolution 19-002, Resolution of Local Support for Regional ATP Funding

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Commission Vice ChairMayor Pauline Cutter,
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Executive Director

Arthur L. Dao

ALAMEDA COUNTY TRANSPORTATION COMMISSION**Resolution of Local Support****Resolution No. 19-002****Authorizing the filing of an application for funding assigned to MTC
and committing any necessary matching funds and stating
assurance to complete the project**

WHEREAS, Alameda County Transportation Commission (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$3,761,000 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Alameda County School Travel Opportunities Program (herein referred to as PROJECT) for the 2019 Regional Active Transportation Program (herein referred to as PROGRAM); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code § 182.6, § 182.7, and § 2381(a)(1), and California Government Code § 14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the FEDERAL TRANSPORTATION ACT, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

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

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to APPLICANT making applications for the funds; and

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

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and be it further

RESOLVED that APPLICANT will provide any required matching funds; and be it further

RESOLVED that APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED that APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

RESOLVED that PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED that APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

RESOLVED that PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED that, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

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

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

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

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

RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

DULY PASSED AND ADOPTED by the Alameda CTC at the regular Commission meeting held on Thursday, April 25, 2019 in Oakland, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Richard Valle
Chair, Alameda CTC

Vanessa Lee
Clerk of the Commission