



Planning, Policy and Legislation Committee Meeting Agenda Monday, May 13, 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, Clerk of the Commission: [Vanessa Lee](#)
 Scott Haggerty, Barbara Halliday,
 John Marchand, Lily Mei, Elsa Ortiz
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 April 8, 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 | 7 | I |

5. Regular Matters

- | | | |
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| 5.1. Approve legislative positions and receive an update on federal, state, and local legislative activities | 15 | A/I |
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6. Committee Member Reports

7. Staff Reports

8. Adjournment

Next Meeting: Monday, June 10, 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 for May 2019 through July 2019

Commission Chair

Supervisor Richard Valle, District 2

Commission Vice Chair

Mayor Pauline Cutter,
City of San Leandro

AC Transit

Board Vice 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

Mayor Robert McBain

City of Pleasanton

Mayor Jerry Thorne

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Arthur L. Dao

Commission and Committee Meetings

Time	Description	Date
2:00 p.m.	Alameda CTC Commission Meeting	May 23, 2019 June 27, 2019 July 25, 2019
9:30 a.m.	Alameda CTC Commission Retreat	May 30, 2019
9:00 a.m.	Finance and Administration Committee (FAC)	June 10, 2019 July 8, 2019
9:30 a.m.	I-680 Sunol Smart Carpool Lane Joint Powers Authority (I-680 JPA)	
10:00 a.m.	I-580 Express Lane Policy Committee (I-580 PC)	
10:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	
12:00 p.m.	Programs and Projects Committee (PPC)	

Advisory Committee Meetings

5:30 p.m.	Bicycle and Pedestrian Community Advisory Committee (BPAC)	May 16, 2019
1:30 p.m.	Joint Paratransit Advisory and Planning Committee (PAPCO) and Paratransit Technical Advisory Committee (ParaTAC)	May 20, 2019
1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	June 6, 2019
1:30 p.m.	Paratransit Advisory and Planning Committee (PAPCO)	June 24, 2019
5:30 p.m.	Independent Watchdog Committee (IWC)	July 8, 2019

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).



1. Call to Order/Pledge of Allegiance

2. Roll Call

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

Subsequent to the roll call

Commissioner Cutter and Commissioner Halliday arrived during Item 5.1. Commissioner Carson arrived after the vote on AB 1350.

3. Public Comment

There were no public comments.

4. Consent Calendar

4.1. Approval of the March 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 Arreguin moved to approve the consent calendar with the changes to the minutes that were distributed to the Commissioners. Commissioner Kaplan seconded the motion. The motion passed with the following votes:

Yes: Arreguin, Bauters, Haggerty, Marchand, Mei, Ortiz, Valle

No: None

Abstain: None

Absent: Carson, Cutter, Halliday

5. Regular Matters

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

Tess Lengyel provided an update on federal, state, regional, and local legislative activities. She noted that 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. Ms. Lengyel noted that an Alameda CTC legislative working group was established at the March Commission meeting and is addressing both SB 50 and SB 4. She recommended that the Commission take the following legislative positions on bills:

AB 659 (Mullin D) - Support Position

Commissioner Kaplan motioned to approve staff's recommendation. Commissioner Arreguin seconded the motion. The motion passed with the following vote:

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

AB 1350- (Gonzalez D) - Support position

Commissioner Kaplan asked if the bill includes information regarding how funding will be allocated. Ms. Lengyel stated development of how the program will be developed and implemented is delegated to the Department of Transportation.

Commissioner Haggerty wanted to know to what extent Alameda CTC is helping UCLA with the study. Ms. Lengyel noted that the agency has reached out to UCLA to share data on Alameda CTC's Affordable Student Transit Pass Program.

Commissioner Cutter asked if the bill includes all transit. Ms. Lengyel noted that the bill does not provide detailed information on the types of transit that is included. However, she noted that this may be defined by Caltrans, who is the managing agency.

Commissioner Arreguin questioned if Alameda CTC's program will be competitive with the UC and CSU college programs and suggested that the bill be supported with the addition of language tying funding allocation. Commissioner Bauters noted that there will probably be some sort of budget allocation associated with the bill.

Commissioner Kaplan suggested that the committee approve staff's recommendation to support the bill and suggested that there be a discussion on age range, funding allocations and potential uses for the passes.

Commissioner Kaplan moved to approve staff's recommendation with the additional direction to staff. Commissioner Marchand seconded the motion. The motion passed with the following vote:

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

SB 127 (Weiner) - Support and seek amendments

Ms. Lengyel noted that 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.

Commissioner Cutter asked if the bill will use current staff resources. Ms. Lengyel noted that the new Caltrans division would be within the existing Caltrans workforce, but would focus specifically on the Active Transportation Program.

Commissioner Kaplan asked if this bill excludes major state highways. Ms. Lengyel stated that it is against the law to have dedicated bike lanes on interstate highway systems and therefore excludes them.

Commissioner Cutter moved to approve staff's recommendation on SB 127. Commissioner Halliday seconded the motion. The motion passed with the following vote:

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

SB 152 (Beall) - Support

Commissioner Bauters stated that the word "transformative" is not defined in the bill and wanted to know if that would minimize the opportunity for smaller projects to compete for funding under the bill. Ms. Lengyel noted that transformative is more than likely intended to mean larger projects that are multi-jurisdictional and have connectivity to transit. Members requested that the word transformative be defined in the bill to ensure that project size is not the only criteria, rather that the effect of the project be considered.

Commissioner Halliday wanted confirmation that the bill will reduce the state's share from 50% to 10% for transformative projects. Ms. Lengyel confirmed that the bill reduces the state's percentage as noted.

Commissioner Halliday made a motion to approve this item. Commissioner Kaplan seconded the motion. The motion passed with the following vote.

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

SB 50 and SB 4

Ms. Lengyel noted that the working group that was designated by the Commission is working to schedule its first meeting. Commissioner Bauters noted that he is working diligently with staff to schedule the working group to allow for Alameda CTC's comments and recommendations to be considered as the bill is developed.

Commissioner Kaplan wanted an update to the letter regarding AB 1487 to note all three actions taken by the Commission on the bill. Commissioner Bauters noted that he will work with staff to update the letter and send out to the respective delegation.

Commissioner Bauters and Commissioner Kaplan expressed concern about the MacArthur Maze project being administered by Caltrans, and Commissioner Bauters requested that a presentation on the project be presented at the next PPLC Committee meeting.

5.2. Approve the Active Transportation Program Resolution of Local Support and contract amendments for Safe Routes to Schools

Leslie Lara-Enríquez recommended that the Commission approve Alameda CTC Resolution 19-002, committing the necessary matching funds and stating assurance to complete the project; allocate \$418,000 of discretionary Measure B Bike and Pedestrian funding to provide the local matching funds; and 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. She noted that MTC recommended the application for Regional ATP funding and has requested a resolution of local support by May 1, 2019. The Regional ATP program is scheduled for final approval by the California Transportation Commission (CTC) at its June 30, 2019 meeting and the program is scheduled to start early September 2019.

Commissioner Cutter moved to approve Alameda CTC Resolution 19-002, committing the necessary matching funds and stating assurance to complete the project. Commissioner Carson seconded the motion. The motion passed with the following vote:

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

Commissioner Arreguin moved to approve Allocation of \$418,000 of discretionary Measure B Bike and pedestrian funding to provide the local matching funds. Commissioner Kaplan seconded the motion. The motion passed with the following vote:

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

Commissioner Mei moved to 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. Commissioner Halliday seconded the motion. The motion passed with the following vote:

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

6. Committee Member Reports

There were no committee member reports.

7. Staff Reports

Ms. Lengyel noted that a judge signed an order to suspend the case against BATA regarding the voter threshold requirement for Regional Measure 3.

8. Adjournment/ Next Meeting

The next meeting is:

Date/Time: May 13, 2019 at 10:30 a.m.

Location: Alameda CTC Offices, 1111 Broadway, Suite 800, Oakland, CA 9460

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Memorandum

4.2

1111 Broadway, Suite 800, Oakland, CA 94607 • PH: (510) 208-7400 • www.AlamedaCTC.org

DATE: May 6, 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 updates the Commission with a 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. 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 the potential impact of proposed land development on the regional transportation system.

Since the last update on April 8, 2018, the Alameda CTC reviewed one NOP and one Draft Supplemental EIR. Responses were submitted and are included as Attachments A and B.

Fiscal Impact: There is no fiscal impact associated with this item.

Attachments:

- A. Response to the NOP of an EIR for the Veterans Affairs Alameda Multi-Specialty Outpatient Clinic and National Cemetery Project
- B. Response to the Notice of Availability of a Draft SEIR for the Upper Hearst Development for the Goldman School of Public Policy and Minor Amendment to the 2020 Long Range Development Plan for the UC Berkeley campus

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March 22, 2019

Andrew Thomas
Planning, Building & Transportation Department
City of Alameda
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501

SUBJECT: Response to the Notice of Preparation (NOP) of an Environmental Impact Report for the Veterans Affairs (VA) Alameda Multi-Specialty Outpatient Clinic and National Cemetery Project

Dear Mr. Thomas,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of the Environmental Impact Report (EIR) for the Veterans Affairs (VA) Alameda Multi-Specialty Outpatient Clinic and National Cemetery Project. The VA Development Area is located in the northwestern portion of the VA Transfer Parcel, located in the northwest portion of Alameda. The site is approximately 112 acres bordered by the San Francisco Bay to the west and the south, and the remainder of the former NAS Alameda Property (now owned by the City of Alameda and referred to as Alameda Point) to the north and east. The site currently contains the decommissioned Naval Air Station Alameda. The proposed project would consist of construction and operation of a Veterans Health Administration Outpatient Clinic, Veterans Benefits Administration outreach office, National Cemetery Administration columbaria cemetery, conservation management office, and associated permanent infrastructure on approximately 112 acres of land.

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 will generate at least 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 Alameda 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 EIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include
 - In Alameda, State Route 260(including the Webster Street and Posey Street Tubes and , Webster Street), and Main Street
 - In Oakland, State Route 260, Interstate 880, and connecting surface roads
 - 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 EIR 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 and San Francisco-Alameda Ferry
 - 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 EIR 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 Bay Trail
 - 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 EIR 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 ½ 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.

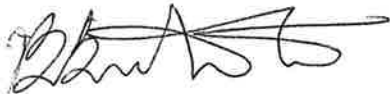
Mitigation Measures

- 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 EIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the EIR 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 EIR 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 EIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. 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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April 12, 2019

Raphael Breines
Senior Planner
Physical & Environmental Planning
University of California, Berkeley
300 A&E Building
Berkeley, CA 94720

SUBJECT: Response to the Notice of Availability of a Draft Supplemental Environmental Impact Report (SEIR) for Upper Hearst Development for the Goldman School of Public Policy and Minor Amendment to the 2020 Long Range Development Plan for the University of California, Berkeley (UC Berkeley) campus

Dear Mr. Breines,

Thank you for the opportunity to comment on raft Supplemental Environmental Impact Report (SEIR) for Upper Hearst Development for the Goldman School of Public Policy and Minor Amendment to the 2020 Long Range Development Plan (LRDP) for the University of California, Berkeley (UC Berkeley) campus. The proposed project is located on an approximately one-acre site located at the northwest corner of La Loma Avenue and Hearst Avenue in the City of Berkeley. The proposed project includes 150 residential units (studio, one- and two-bedroom apartments) and 37,000 square feet of office, classroom, and event space in an academic building. The project would also remove approximately 207 parking spaces. As a result the SEIR estimates that the proposed project would result in a net reduction of 5 PM-peak-hour trips.

We have reviewed the project and determined that it is exempt from review under the Congestion Management Program, Land Use Analysis Program because the proposed project will not generate 100 new p.m. peak hour, and will reduce pm-peak hour trips. Additionally, the mitigation measures and continuing best practices from the 2020 LRDP, if fully implemented, could significantly offset additional auto traffic generated at other times of day. Alameda CTC encourages UC Berkeley to fully implement all the mitigation measures and best practices listed in the SEIR.

Thank you for the opportunity to comment on this SEIR. 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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Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: May 6, 2019

TO: Planning, Policy and Legislation Committee

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

SUBJECT: Legislative Positions and Receive an Update on Federal, State, and Local Legislative Activities

Recommendation

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

Summary

The May 2019 legislative update provides information on federal and state legislative activities and recommendations on current legislation.

Background

The Commission approved the 2019 Legislative Program in December 2018. 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 and a summary of the Washington, DC legislative visits undertaken at the beginning of May.

State Update

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

As the first part of this legislative year wraps up, the following bill deadlines must be met or a bill becomes a two-year bill that can be revisited next year.

- April 26 – Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.
- May 3 – Last day for policy committees to hear and report to the Floor non-fiscal bills introduced in their house.
- May 17 – Last day for fiscal committees to hear and report to the Floor bills introduced in their house.
- May 31 – Last day for bills to be passed out of their house of origin.

Revenue: With recent revenue receipts falling below projections by about \$2 billion, the State's focus is now April which is the highest revenue month of the year. State Controller Betty Yee has continued the tradition of posting daily income tax receipts for April. In the 2017-18 fiscal year April income tax revenue reached \$14.2 billion, and the projected target for April 2019 is \$15 billion. These receipts will directly influence the May Revise which will come out in mid-May, including with expected updates to Governor Newsom's housing proposals.

Budget

Budget Discussions: Budget subcommittees met on a myriad of issues over the past few weeks. The following summarizes transportation-related budget hearing issues:

- **Cap & Trade Expenditure Plan:** Both the Senate Subcommittee #2 and the Assembly Subcommittee #3 reviewed the Administration's proposed use of cap & trade auction revenue. Both subcommittees deferred action on this item. It is normal for the Senate and Assembly to hold this item open while both houses and the Administration negotiate spending priorities. Over the past several years, it is not uncommon for negotiations to stretch well into August.

An important topic of these hearings focused on how much auction revenue will be available for the coming year. The Governor's budget assumes that a total of \$2.1 billion in auction revenue will be available in 2019-20, combined with unspent revenue in the current fiscal year will provide \$2.4 billion for the various programs. The \$2.1 billion amount assumes that all 2019-20 allowances will be

sold at the minimum auction price. The LAO forecast is higher. The LAO estimates that over the current fiscal year and 2019-20 auction revenue will exceed the Administration's estimate by \$800 million. While the LAO cautions the Legislature regarding the uncertainty of auction returns, the Legislature plans to use the LAO's forecast when developing its expenditure plan priorities. This means more money will be available for the numerous budget requests.

- **Work Force Training:** The Governor's budget proposed allocating \$27 million cap & trade auction revenue in 2019-20, and about \$25 million per year for the following four fiscal years for workforce training programs. These funds would be administered by the California Workforce Development Board for various pre-apprenticeship programs. This includes \$10 million annually for the next five years for the High Road Training Partnership (HRTTP), which includes providing a total of 2,000 pre-apprenticeship slots for non-construction industries that have been affected by the state's effort to reduce GHG emissions. One of the sectors targeted by the Administration is public transit's transition to zero emission vehicles. HRTTP would provide funding for apprenticeships that train bus service technicians to become electric bus mechanics. Questions about nexus to the use the funds for these purposes arose, and Senator Wieckowski moved to simply keep this item open while budget negotiations continue. Alameda CTC has adopted a legislative platform that supports funding for apprenticeship and workforce training programs.
- **Transportation:** In mid-April, Senate Sub 2 and Assembly Sub 3 reviewed the relatively few transportation related budget items. Both the Senate and Assembly approved the budget amount of \$2 billion in Road Maintenance and Rehabilitation Account funds to Caltrans for state and local SB 1 programs. In addition, SB 1 funds will reach nearly \$5 billion in 2019-20 and will be spent as follows:

Road Maintenance and Accountability Act Funding

(Dollars in Millions)

Program		2018-19	2019-20
Local Allocations	Local Streets and Roads	\$1,152	\$1,225
	Transit and Intercity Rail Capital Program	\$330	\$337
	State Transit Assistance	\$413	\$457
	Local Partnership Program	\$200	\$200
	Active Transportation Program	\$100	\$100
	STIP (Regional Share)	\$0	\$20
	Commuter Rail and Intercity Rail	\$44	\$50
	Local Planning Grants	\$25	\$25
Total:		\$2,264	\$2,414
State Allocations	SHOPP/Maintenance	\$1,209	\$1,222
	Bridges and Culverts	\$400	\$400
	Commuter Corridors	\$250	\$250
	Trade Corridor Enhancement	\$307	\$307
	Department of Parks and Recreation*	\$79	\$79
	Freeway Service Patrol	\$25	\$25
	Department of Food and Agriculture*	\$26	\$26
	STIP (Interregional Share)	\$0	\$7
	Transportation-related CSU and UC Research	\$7	\$7
	Transportation Workforce Development Board	\$10	\$5
Total:		\$2,314	\$2,328

- **Active Transportation Program:** Senate and Assembly Subcommittees also held an informational hearing on the LAO's review of the Active Transportation Program (ATP). Overall the ATP is performing as expected with 75% of funding being awarded to infrastructure projects, and 88% of the projects benefiting a disadvantage community. The LAO found that in the first funding cycle the project size was fairly small at an average of \$1.3 million, but the project size is starting to grow in subsequent cycles. The LAO does recommend that the legislature consider the following changes:
 - Require the collection of better data and benefits.
 - Consider whether the statewide component should focus on larger, more transformative projects.
 - Provide additional flexibility to metropolitan planning organizations (MPO) to select projects that are the highest priority for the region.

While no changes are currently being proposed, committee staff in both the Senate and Assembly point to the LAO's recommendation to provide MPOs greater flexibility. Staff points to the possibility for the statewide component to focus on transformative projects and give the MPO's the flexibility to fund small projects that are consistent with regional priorities. If this change is made, staff encouraged consideration of allocating a greater percentage of funds to the MPO program.

Legislation

The following summarizes legislative action on the Wayfair decision and Table 1 includes recommendations for Alameda CTC consideration on two bills.

Wayfair: AB 147 (Burke & McGuire) was unanimously approved by the legislature and is signed by the Governor. This bill will enact changes to implement the South Dakota v. Wayfair decision. Under Wayfair, the U.S. Supreme Court found that online retailers are required to collect and remit sales tax regardless of whether the online retailer has a physical presence in the state where the order is delivered.

AB 147 includes a \$500,000 statewide threshold. State and local sales taxes would both be collected once an online retailer reaches a statewide total of \$500,000 in sales. This bill also requires sales tax to be collected on all sales made through an intermediary, such as eBay or Amazon. Under AB 147 for an entity that sells items through a "marketplace facilitator," such as eBay, the marketplace facilitator is required to collect and remit the tax on all sales regardless of the threshold. Additional sales tax revenue for Alameda County will be generated through this legislation.

Table 1		
Bill Number	Bill Information	Recommendation
SB 152 (Beall) Department of Motor Vehicles. Active Transportation Program (ATP)	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	Alameda CTC's 2019 legislative program supports legislation that increases and protects transportation funding. Staff recommends a support and seek clarification position on SB 152 consistent with PPLC actions in April for the following: Seek clarification on a definition of transformative projects to ensure that despite a project's size or cost, the outcomes of the project are determining factors for transformative projects.

Table 1		
Bill Number	Bill Information	Recommendation
	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 328 (Portantino)	This bill would require the school day for middle schools and high schools, including those operated as charter schools, to begin no earlier than 8:30 a.m. by July 1, 2022, or the date on which a school district's or charter school's respective collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later, except for rural school districts.	<p>This same bill was introduced in the 17-18 legislative session and was vetoed by the Governor. Alameda CTC took an oppose position on this bill due to the negative impact it would have on transit operators trying to provide school services. If the change of time were instituted per the bill requirements, it would create operational, service and fiscal impacts to AC Transit and other bus operators.</p> <p>Alameda CTC's 2019 legislative platform supports cost effective delivery of projects and programs. This bill would reduce efficiencies and increase costs for bus transit operators that provide school supportive services funded by Alameda County's transportation sales tax measures.</p> <p>Staff recommends an oppose position on this bill.</p>

Policy

The California Department of Transportation (Caltrans) requested public comment and held two workshops in April regarding the MacArthur Maze Vertical Clearance Project. The proposed project is intended to increase the vertical clearance at three locations within the MacArthur Maze interchange. Alameda CTC has submitted a letter to Caltrans commenting on the project. While the proposed project has been put on hold as the Caltrans project team evaluates comments, questions, and concerns from the community, stakeholder groups, cities, and public agencies, it is not clear when the project may be reinitiated. The AC Transit Board adopted a resolution (Attachment B) requesting transit priority improvements to mitigate congestion associated with MacArthur maze vertical clearance project. This resolution is being considered for support by several cities in the MacArthur Maze highway corridors and staff

recommends that Alameda CTC take a position to support the resolution and write a letter to AC Transit transmitting its support.

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

Attachments:

- A. Alameda CTC 2019 Legislative Program
- B. AC Transit Board Resolution on MacArthur Maze

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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	Expand multimodal systems, shared mobility 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. • 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.

**ALAMEDA-CONTRA COSTA TRANSIT DISTRICT
RESOLUTION NO. 19-015**

**A RESOLUTION REQUESTING TRANSIT PRIORITY IMPROVEMENTS TO MITIGATE CONGESTION
ASSOCIATED WITH MACARTHUR MAZE VERTICAL CLEARANCE PROJECT**

WHEREAS, the California Department of Transportation (Caltrans) has issued a draft Environmental Impact Report (EIR) for a proposed project to increase vertical clearance on some roadways within the Macarthur Maze; and

WHEREAS, the Alameda-Contra Costa Transit District (District or AC Transit) operates nearly 1,000 bus trips each day through the Macarthur Maze, carrying more than 14,000 passengers through the interchange each weekday; and

WHEREAS, the construction associated with the project will likely divert significant automobile, freight, and transit traffic onto streets in the cities of Berkeley, Emeryville, and Oakland; and

WHEREAS, this change in traffic patterns will result in significant delays for transit operations and customers as well as negatively impact conditions for bicyclists and pedestrians; and

WHEREAS, once complete, the project will lead to an increase in freight traffic through the interchange, competing for already limited space for transit and leading to delays and increased operating costs for the District; and

WHEREAS, the region has made relieving congestion and reducing automobile traffic across the San Francisco-Oakland Bay Bridge a priority, including the completion of the Metropolitan Transportation Commission's Core Capacity Transit Study and through the recent passage of Regional Measure 3 and; and

WHEREAS, funding from Regional Measure 3 will result in a 30-percent increase in AC Transit Transbay service through the area which should be supported through opportunities to prioritize this increase in transit capacity; and

WHEREAS, the Alameda County Transportation Commission (ACTC) has prioritized improvements to local bus transit service through its County-wide Transportation Plan, which has resulted in such efforts as the San Pablo Avenue Corridor Project; and

WHEREAS, the District plays a critical role in reducing congestion in the region and will continue to do so through planned efforts detailed in documents such as the Major Corridors Study; and

WHEREAS, the inclusion of elements supporting transit priority and facilitating complete streets (include transit, bicycles, and pedestrians) within the Macarthur Maze Vertical Clearance

Project is necessary mitigation for the impacts from construction and increased freight movement through the interchange; and

WHEREAS, Caltrans has extended the public comment period for the Draft Environmental Impact Report to April 24 at 11:59 p.m. with public hearings to be held in Emeryville and Oakland on April 10 and 11, respectively; and

NOW, THEREFORE, the Board of Directors of the Alameda-Contra Costa Transit District does resolve as follows:

Section 1. Request that Caltrans include transit-only lanes on all roadways in the project where AC Transit currently operates transit service.

Section 2. Request that Caltrans include measures to mitigate transit service disruption and prioritize transit service in identified mitigations during the construction phase of the project through improvements including but not limited to: dedicated transit lanes, transit signal priority, transit queue-jump lanes, bus stop optimization and traffic signal coordination/actuation.

Section 3. Request that Caltrans coordinate with the cities of Berkeley, Emeryville & Oakland to provide dedicated transit lane access to the Bay Bridge.

Section 4. Request that Caltrans ensure any elements of the project or mitigations associated with the project or its construction conform to and support existing regional plans being developed or already adopted by MTC; ACTC; the District; and the cities of Berkeley, Emeryville, and Oakland.

PASSED AND ADOPTED this 24th day of April 2019.

Joe Wallace, President

Attest:

Linda A. Nemeroff, District Secretary

I, Linda A. Nemeroff, District Secretary for the Alameda-Contra Costa Transit District, do hereby certify that the foregoing Resolution was passed and adopted at a regular meeting of the Board of Directors held on the 24th day of April, 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:
ABSTAIN:

Linda A. Nemeroff, District Secretary

Approved as to Form and Content:

Denise C. Standridge, General Counsel

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