



# Meeting Notice

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

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

**Commission Chair**  
Councilmember At-Large,  
Rebecca Kaplan, City of Oakland

**Commission Vice Chair**  
Supervisor Richard Valle, District 2

**AC Transit**  
Director Elsa Ortiz

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

**BART**  
Director Rebecca Saltzman

**City of Alameda**  
Mayor Trish Spencer

**City of Albany**  
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**City of Berkeley**  
Councilmember Kriss Worthington

**City of Dublin**  
Mayor David Haubert

**City of Emeryville**  
Vice Mayor John Bauters

**City of Fremont**  
Mayor Lily Mei

**City of Hayward**  
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**City of Livermore**  
Mayor John Marchand

**City of Newark**  
Councilmember Luis Freitas

**City of Oakland**  
Councilmember Dan Kalb

**City of Piedmont**  
Mayor Jeffery Wieler

**City of Pleasanton**  
Mayor Jerry Thorne

**City of San Leandro**  
Mayor Pauline Cutter

**City of Union City**  
Mayor Carol Dutra-Vernaci

**Executive Director**  
Arthur L. Dao

## Alameda County Transportation Commission

Thursday, July 27, 2017, 2:00 p.m.

1111 Broadway, Suite 800 Oakland, CA 94607

### Mission Statement

The mission of the Alameda County Transportation Commission (Alameda CTC) is to plan, fund, and deliver transportation programs and projects that expand access and improve mobility to foster a vibrant and livable Alameda County.

### Public Comments

Public comments are limited to 3 minutes. Items not on the agenda are covered during the Public Comment section of the meeting, and items specific to an agenda item are covered during that agenda item discussion. If you wish to make a comment, fill out a speaker card, hand it to the clerk of the Commission, and wait until the chair calls your name. When you are summoned, come to the microphone and give your name and comment.

### Recording of Public Meetings

The executive director or designee may designate one or more locations from which members of the public may broadcast, photograph, video record, or tape record open and public meetings without causing a distraction. If the Commission or any committee reasonably finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities must be discontinued or restricted as determined by the Commission or such committee (CA Government Code Sections 54953.5-54953.6).

### Reminder

Please turn off your cell phones during the meeting. Please do not wear scented products so individuals with environmental sensitivities may attend the meeting.

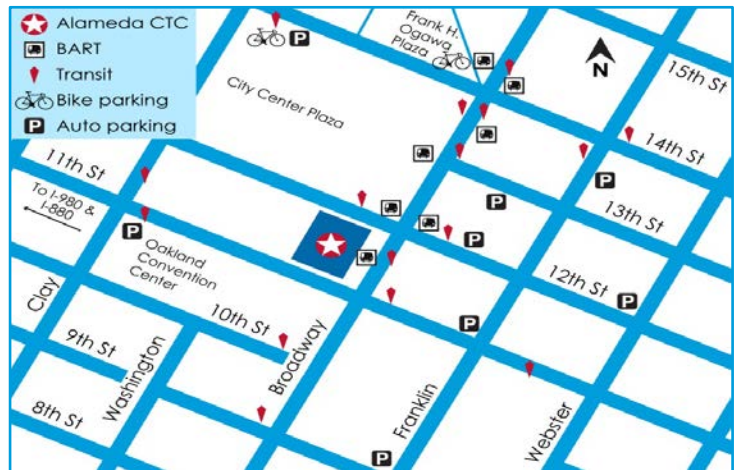
### Glossary of Acronyms

A glossary that includes frequently used acronyms is available on the Alameda CTC website at [www.AlamedaCTC.org/app\\_pages/view/8081](http://www.AlamedaCTC.org/app_pages/view/8081).

## Location Map

★ Alameda CTC  
1111 Broadway, Suite 800  
Oakland, CA 94607

Alameda CTC is accessible by multiple transportation modes. The office is conveniently located near the 12th Street/City Center BART station and many AC Transit bus lines. Bicycle parking is available on the street and in the BART station as well as in electronic lockers at 14th Street and Broadway near Frank Ogawa Plaza (requires purchase of key card from [bikelink.org](http://bikelink.org)).



Garage parking is located beneath City Center, accessible via entrances on 14th Street between 1300 Clay Street and 505 14th Street buildings, or via 11th Street just past Clay Street. To plan your trip to Alameda CTC visit [www.511.org](http://www.511.org).

## Accessibility

Public meetings at Alameda CTC are wheelchair accessible under the Americans with Disabilities Act. Guide and assistance dogs are welcome. Call 510-208-7450 (Voice) or 1-800-855-7100 (TTY) five days in advance to request a sign-language interpreter.



## Meeting Schedule

The Alameda CTC meeting calendar lists all public meetings and is available at [www.AlamedaCTC.org/events/upcoming/now](http://www.AlamedaCTC.org/events/upcoming/now).

## Paperless Policy

On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at [www.AlamedaCTC.org/events/month/now](http://www.AlamedaCTC.org/events/month/now).



# Commission Meeting Agenda

## Thursday, July 27, 2017, 2 p.m.

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

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

### 1. Pledge of Allegiance

### 2. Roll Call

### 3. Public Comment

### 4. Chair and Vice Chair Report

### 5. Executive Director Report

### 6. Approval of Consent Calendar

On July 10, 2017 Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1.

- |      |  |    |   |
|------|--|----|---|
| 6.1. | <a href="#">Approval of the June 22, 2017 meeting minutes.</a>   | 1  | A |
| 6.2. | <a href="#">Approve the release of a request for proposals to procure consultant services to perform the I-580 Express Lanes "Before and After" Study; and Authorize the Executive Director to negotiate a professional services agreement with the top-ranked firm.</a> | 7  | A |
| 6.3. | <a href="#">Status update on the operation of I-580 Express Lanes.</a>   | 9  | I |
| 6.4. | <a href="#">I-580 Express Lanes Toll Rate Plan Presentation.</a>   | 19 | I |
| 6.5. | <a href="#">Update on the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments.</a>  | 43 | I |
| 6.6. | <a href="#">Metropolitan Transportation Commission Bay Area Infrastructure Update on I-680 Contra Costa and I-880 Express Lanes.</a>   | 47 | I |
| 6.7. | <a href="#">Allocate \$11.5 million in Measure BB to the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard and expand the procurements for professional services to include subsequent phases.</a>           | 57 | A |
| 6.8. | <a href="#">Approve Administrative Amendments to Various Project Agreements (A10-0008, A11-0024, A10-0027) in support of the Alameda CTC's Capital Projects and Program delivery commitments.</a>  | 65 | A |

**Chair:** Councilmember Rebecca Kaplan,  
City of Oakland

**Vice Chair:** Supervisor Richard Valle,  
Alameda County Board of Supervisors

**Executive Director:** Arthur L. Dao

**Clerk:** Vanessa Lee

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## 7. Community Advisory Committee Reports

(Time limit: 3 minutes per speaker)

- |  |    |   |
|--|----|---|
| 7.1. Bicycle and Pedestrian Advisory Committee (Verbal)– Matthew Turner, Chair     |    | I |
| 7.2. <a href="#">Independent Watchdog Committee</a> – Murphy McCalley, Chair       | 69 | I |
| 7.3. Paratransit Advisory and Planning Committee (Verbal) – Sylvia Stadmire, Chair |    | I |

## 8. Planning, Policy and Legislation Action Items

On July 10, 2017, the Planning, Policy and Legislation Committee approved the following action items, unless otherwise noted in the recommendations

- |   |    |     |
|---|----|-----|
| 8.1. <a href="#">Receive an update on federal, state, and local legislative activities and state legislation.</a> | 77 | I/A |
|---|----|-----|

## 9. Programs and Projects Actions Items

On July 10, 2017, the Programs and Projects Committee approved the following action items, unless otherwise noted in the recommendations

- |  |     |   |
|--|-----|---|
| 9.1. <a href="#">Update on the Environmental Phase progress for the East Bay Greenway (Lake Merritt to South Hayward) Project.</a> | 105 | I |
|--|-----|---|

## 10. Member Reports

- |  |     |   |
|--|-----|---|
| 10.1. <a href="#">Niles Canyon Trail Project Update.</a> | 113 | I |
|--|-----|---|

## 11. Adjournment

**Next meeting:** September 28 , 2017

All items on the agenda are subject to action and/or change by the Commission.



# Alameda County Transportation Commission Commission Meeting Minutes Thursday, June 22, 2017, 2 p.m.

6.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

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

## 1. Pledge of Allegiance

## 2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioner Haggerty, Commissioner Chan, Commissioner Miley, Commissioner Maass, Commissioner Haubert, Commissioner Marchand, and Commissioner Cutter.

Commissioner Piexoto was present as an alternate for Commissioner Halliday.  
Commissioner Duncan was present as an alternate for Commissioner Dutra-Vernaci.

### Subsequent to the Roll call

Commissioner Kalb, Commissioner Mei, Commissioner Miley and Commissioner Haggerty arrived during item 8.1.

## 3. Public Comment

There were no public comments.

## 4. Chair/Vice Chair Report

Chair Kaplan noted that there was a legislative document included in the packet that highlighted Alameda CTC's work and provided information on state and federal funding sources for transportation in Alameda County.

## 5. Executive Director's Report

Tess Lengyel stated that she would be providing the Executive Director report in Art Dao's absence. She stated that the Executive Director's Report could be found in the Commissioner's folders as well as on the Alameda CTC website. Ms. Lengyel updated the Commission on the I-680 Express Lanes and the federal grant application submission for the Go PORT project. On the programming side, Ms. Lengyel provided information on the SB 1 guidelines for funding as well as Regional Measure 3 funding. On the planning side, she noted that Alameda CTC received the Sustainable Transportation Excellence of the Year Award from California Transportation Foundation for the Affordable Student Transit Pass Program. She concluded by stating that there was an Audit Committee meeting on June 12, 2017 and by informing the Commission that two Alameda CTC staff members had successfully obtained their professional engineer licenses.

## 6. Consent Calendar

6.1. Approval of the May 25, 2017 meeting minutes.

6.2. Status update on the operation of I-580 Express Lanes.

6.3. Approve, and authorize the Executive Director to negotiate and execute, professional services agreements with Wendel, Rosen, Black & Dean, LLP and with Meyers, Nave, Riback, Silver & Wilson, PLC, for a combined total not-to-exceed

amount of \$850,000, to provide General Legal Counsel Services for the Alameda County Transportation Commission and Sunol Smart Carpool Lane Joint Powers Authority.

- 6.4. Update on the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments.
- 6.5. Approve and authorize the Executive Director to amend project agreements with BKF Engineers and Alameda County Public works; and other project agreements as may be required, within the total project budget for the close-out of the construction phase of the I-580 Express Lanes Corridor Project.
- 6.6. Core Capacity Transit Study Briefing Update.
- 6.7. AC Transit Transbay Comprehensive Operations Analysis Update.
- 6.8. Capital Projects Update.
- 6.9. Approval of Community Advisory Appointments.

*Commissioner Bauters moved to approve this item. Commissioner Carson seconded the motion. The motion passed with the following votes:*

Yes: Kaplan, Valle, Ortiz, Carson, Saltzman, Spencer, Worthington, Bauters, Peixoto, Freitas, Wieler, Thorne, Duncan

No: None

Abstain: None

Absent: Haggerty, Chan, Miley, Maass, Haubert, Mei, Marchand, Kalb, Cutter

## **7. Community Advisory Committee Reports**

### **7.1. Bicycle and Pedestrian Advisory Committee (BPAC)**

There was no one present from BPAC.

### **7.2 Independent Watchdog Committee (IWC)**

There was no one present from IWC.

### **7.3. Paratransit Advisory and Planning Committee (PAPCO)**

Sylvia Stadmire, PAPCO Chair, stated that the next PAPCO meeting is scheduled for June 26, 2017. Ms. Stadmire noted that agenda highlights for that meeting are elections, approval of the fiscal year meeting calendar, and Measure B and Measure BB direct local distribution plan recommendations.

## **8. Planning Policy and Legislation Committee Action Items**

### **8.1. Update on federal, state, and local legislative activities and new legislation.**

Tess Lengyel provided an update on state, regional, local and federal legislative activities and new legislation. Her presentation focused on SB 1 funding and RM3 updates. Regarding SB 1, Ms. Lengyel focused on five programs; the road maintenance and rehab program, the state and local partnership program, the trade corridors enhancement account, congestion commute corridors program, and the active transportation program. In regards to RM3, Ms. Lengyel stated that SB 595 passed out of the senate and a project list could potentially be dropped into the bill at the July 10, 2017 committee meeting. She also provided updates on MTC's

RM3 framework and recommended that the Commission take the following positions:

SB 611 (Hill and Allen) - Support position

Commissioner Saltzman asked if there was any sense from MTC of when there will be new RM3 framework language available for the public to view and she wanted to know if staff was having conversations with legislators regarding MTC's proposed framework. Ms. Lengyel stated that the framework will likely be available once the bill is released and she stated that Alameda CTC has been in continued communication with MTC providing information on the agency's submitted project list.

Commissioner Ortiz asked if MTC is administering the proposed \$3.00 increase immediately or if it will be a gradual increase. Ms. Lengyel stated that this information should be clarified in the bill and agency staff will monitor how the increase is transitioned over time.

Commissioner Bauters wanted to know if the penalties in SB 611 for illegal placard use have been changed. Ms. Lengyel stated that she did not believe the penalties were adjusted in the bill.

Commissioner Haggerty stated that there are several Commissioners who are attempting to meet with legislators regarding RM3 and he suggested that the Commissioners reach out to legislation to help advocate for Alameda CTC's project funding list.

*Commissioner Kalb moved to approve the recommended action. Commissioner Bauters seconded the motion. The motion passed with the following vote:*

Yes: Kaplan, Valle, Ortiz, Haggerty, Miley, Carson, Saltzman, Spencer, Maass, Worthington, Bauters, Mei, Peixoto, Freitas, Kalb, Wieler, Thorne, Duncan  
No: None  
Abstain: None  
Absent: Chan, Haubert, Marchand, Cutter

## **8.2. Congestion Management Program 2016 Performance Report Update**

Matthew Bomberg provided an update on the 2016 Congestion Management Program Performance Report. He stated that the Performance Report tracks trends in a series of performance measures. Mr. Bomberg covered population and job growth, commute patterns and data surrounding commute modes and freeway and transit performance. Mr. Bomberg concluded by providing collision data and information on housing production.

A public comment was made on this item by Jane Kramer where she requested clarification on data in the report and PowerPoint.

Commissioner Ortiz wanted to know how private operators like Uber and Lyft impact transit operators and suggested that it be included into the report. Mr. Bomberg

stated that the goal of the report is not to identify causes but to report trends and he stated that the agency is aware of that issue.

Commissioner Piexoto asked if complete streets is a contributing factor to the increase in collisions. Ms. Lengyel stated that complete streets addresses safety and she noted that there is not any information that connects complete streets to the increase in collisions. Mr. Bomberg noted that the statistics show that unsafe speed is the highest cause of collisions.

Commissioner Saltzman suggested that the agency agendaize a discussion on how to get ridership and usage data for private rideshare companies like Uber and Lyft.

*This item was for information only.*

## **9. Programs and Projects Action Items**

### **9.1. FY 2015-16 Measure B, Measure BB and Vehicle Registration Fee Program Compliance Reports Update.**

John Nguyen presented the FY2015-16 Measure B, Measure BB and Vehicle Registration Fee Program Compliance Reports Update. He provided an overview of the Direct Local Distributions (DLD) and covered program compliance requirements. Mr. Nguyen also provided information on compliance reporting and the review process as well as fund balances, expenditure history, and the timely use of funds policy. He concluded his report by stating that all DLD recipients submitted compliance reports and audited financial statements and all jurisdictions are in compliance.

Commissioner Saltzman wanted to know if there were consequences for agencies who don't use the funds. Mr. Nguyen stated that the timely use of funds has a "use it or lose it" policy. Tess stated that the intention of both Measures is to insure that projects are delivered so it is at the Commission's discretion if they want to enact a rescission policy and use the funds towards other projects.

Commissioner Bauters stated that Emeryville is very committed to complete streets and bike/ped projects, and stated that anything related to rescission would be counterintuitive for the goals of delivering projects.

A public comment was made on this item by Dave Campbell regarding policy discussions on time limitations for complete street projects.

*This item was for information only.*

## **10. Member Reports**

There were no member reports.

## **11. Adjournment**

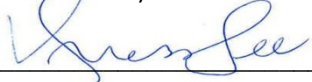
The next meeting is:



Date/Time: Thursday, July 27, 2017 at 2:00 p.m.

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

Attested by:

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

Vanessa Lee,  
Clerk of the Commission

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# Memorandum

6.2

1111 Broadway, Suite 800, Oakland, CA 94607

510.208.7400

www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** I-580 Express Lanes : Approval to Procure Consultant Services for the I-580 Express Lanes "Before and After" Study

**RECOMMENDATION:**

1. Approve the release of a request for proposals to procure consultant services to perform the I-580 Express Lanes "Before and After" Study; and
2. Authorize the Executive Director to negotiate a professional services agreement with the top-ranked firm.

## Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and operating agency of the I-580 Express Lanes. This project was opened to traffic on February 19<sup>th</sup> and 22<sup>nd</sup> of 2016. AB 574 requires a report on the findings, conclusions, and recommendations of the I-580 Express Lanes program performance to be completed within three years of the first revenue day. After over a year of operation, express lane traffic and usage has stabilized such that it is suitable to evaluate the performance of the I-580 Express Lanes.

Staff recommends that the Commission approve the release of a request for proposals (RFP) for professional services to perform the "Before and After" Study (Study) activities and authorize the Executive Director to negotiate a professional services agreement with the top-ranked firm. Upon Commission approval, staff intends to issue the RFP in September 2017, and expects to return to the Commission in January 2018 with an award recommendation. The resulting contract would be funded by I-580 Express Lanes Operations revenues. The estimated duration to complete the Study is one year.

## Background

The I-580 Express Lanes corridor, extending from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to San Ramon Road/Foothill Road in the westbound direction, were opened to traffic on February 19 and 22, 2016 in the eastbound and westbound directions, respectively. AB 574 (Torrico) names the I-580 Express Lanes corridor as the second of two transportation corridors in which Alameda CTC is allowed to operate an express lane program; the other being the I-680 Sunol Express Lanes corridor, which has been in operations since September 2010. This legislation

also requires an "After" Study to be completed no later than three years after the I-580 Express Lanes corridor is open to traffic.

The goal of the Study is to evaluate performance of the I-580 Express Lanes and report to the Legislature on findings, conclusions, and recommendations concerning the I-580 Express Lanes program. The report would include an analysis of the effect of the express lanes on the adjacent general purpose lanes. A similar evaluation report for the southbound I-680 express lane was completed and submitted to the legislature in June 2013.

Prior to construction of the I-580 Express Lanes, "Before" conditions data, particularly travel time, speed and occupancy, was collected and documented, and is available for use during the "After" Study effort for a comprehensive evaluation of the I-580 Express Lanes performance.

The Study would begin in February 2018 with data collection slated for spring of 2018 to be consistent with the timeline for collection of the "Before" conditions data. The evaluation will be completed by December 31, 2018 and a report would be submitted to Legislature by February 1, 2019. The draft findings and recommendations of the Study will be presented to the Committee and the Commission in early 2019. Upon approval by the Commission, a final report would be submitted to the Legislature in spring 2019.

Staff recommends the Commission approve the release of the RFP for professional services to conduct a "Before and After" Study and related activities and authorize the Executive Director to negotiate a professional services agreement with the top-ranked firm. Upon approval of this item, staff intends to issue the RFP in September 2017 and expects to return to the Commission in January 2018 with an award recommendation. The resulting contract would be funded by I-580 Express Lanes Operations revenues. The estimated duration to complete the Study is one year.

**Fiscal Impact:** There is no fiscal impact.

#### **Staff Contact**

[Saravana Suthanthira](#), Principal Transportation Planner

[Liz Rutman](#), Express Lanes Operation and Maintenance Manager



# Memorandum

6.3

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** I-580 Express Lanes (PN 1373.002): Monthly Operation Update

**RECOMMENDATION:** Receive a status update on the operation of I-580 Express Lanes

## Summary

The Alameda CTC is the project sponsor of the I-580 Express Lanes, located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore, which are now in operation having opened to traffic on February 19<sup>th</sup> and 22<sup>nd</sup> of 2016. See Attachment A for express lane operation limits.

The May 2017 operations report indicates that the new express lane facility continues to provide travel time savings and travel reliability throughout the day. Express lane users experienced average speeds up to 28 mph greater than the average speeds in the general purpose lanes, along with lesser average lane densities than the general purpose lanes, in the most congested segments of the corridor.

## Background

The I-580 Express Lanes, extending from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to San Ramon Road/Foothill Road in the westbound direction, were opened to traffic on February 19<sup>th</sup> and 22<sup>nd</sup> of 2016 in the eastbound and westbound directions, respectively. See Attachment A for express lane operation limits. Motorists using the I-580 Express Lanes facility benefit from travel time savings and travel reliability as the express lanes optimize the corridor capacity by providing a new choice to drivers. Single occupancy vehicles (SOVs) may choose to pay a toll and travel within the express lanes, while carpools, clean-air vehicles, motorcycles, and transit vehicles enjoy the benefits of toll-free travel in the express lanes.

An All Electronic Toll (AET) collection method has been employed to collect tolls. Toll rates are calculated based on real-time traffic conditions (speed and volume) in express and general purposes lanes and can change as frequently as every three minutes. California Highway Patrol (CHP) officers provide enforcement services and the California Department of Transportation (Caltrans) provides roadway maintenance services through reimbursable service agreements.

**May 2017 Operations Update:** Over 738,000 express lane trips were recorded during operational hours in May, an average of approximately 33,100 daily trips. Table 1 presents the breakdown of trips based on toll classification and direction of travel; these percentages have remained consistent for the last four months. Pursuant to the Commission-adopted “Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 Express Lanes,” if a vehicle uses the express lanes without a valid FasTrak® toll tag then the license plate read by the Electronic Tolling System is used to either assess a toll either by means of an existing FasTrak account to which the license plate is registered or by issuing a notice of toll evasion violation to the registered vehicle owner.

Table 1. Express Lane Trips by Type and Direction for May 2017

Trip Classification		Percent of Trips
By Type	HOV-eligible with FasTrak flex tag	38%
	SOV with FasTrak standard or flex tag	41%
	No valid toll tag in vehicle	21%
By Direction	Westbound	47%
	Eastbound	53%

Express lane users generally experience higher speeds and lesser lane densities than the general purpose lanes. Lane density is measured by the number of vehicles per mile per lane and reported as Level of Service (LOS). LOS is a measure of freeway performance based on vehicle maneuverability and driver comfort levels, graded on a scale of A (best) through F (worst). Table 2 summarizes the average speed differentials and LOS at four locations in each of the westbound and eastbound directions during respective commute hours for May. This table provides an overall snapshot of the express lane benefits for the month during commute hours.

Attachment B presents the speed and density heat maps for the I-580 corridor during revenue hours for the six-month period from December 2016 to May 2017. These heat maps are a graphical representation of the overall condition of the corridor, showing the average speeds and densities along the express lane corridor and throughout the day for both the express and general purpose lanes, and are used to evaluate whether the express lane is meeting both federal and state performance standards. From December through May, the average speeds in the westbound express lane ranged from 55 to 70 mph during the morning commute hours (5 am to 11 am) with lower speeds occurring between Isabel Avenue and Hacienda Road. The express lane operated at LOS C or better at all times, with LOS C occurring only for a short period of time in the middle of the corridor (Isabel Avenue to Santa Rita Road) during the morning commute hours. By comparison, the general purpose lanes experienced speeds as low as 45 mph and LOS D

throughout several sections of the corridor. During the evening commute, the westbound lanes reflect a small period of reverse-commute congestion between Hacienda Road and San Ramon Road from 5 pm to 6 pm, though the express lane continued to operate at LOS A or better during this time. Outside of the commute hours, express lane users experience average speeds of 70 mph or higher and average LOS A.

Table 2. Speed Differentials and Level of Service for May 2017

Direction	I-580 in the Vicinity of	Speed Differential Range (mph)	Average Speed Differential (mph)	Average Express Lane LOS	Average General Purpose Lane LOS
Westbound Morning Commute: 5 am – 11 am	North First Street	6 - 8	7	B	C
	North Livermore Ave	2 - 6	4	B	C
	Fallon Road	3 - 15	8	C	D
	Santa Rita Road	10 - 18	13	B	C
Eastbound Evening Commute: 2 pm – 7 pm	Hacienda Road	22 - 28	25	C	F
	Airway Blvd	8 – 11	10	B	C
	North Livermore Ave	6 – 11	9	B	C
	North First Street	12 - 24	17	B	C

In the eastbound direction, average express lane speeds from December 2016 through May 2017 ranged from 25 to 70 mph during the evening commute hours (2 pm – 7 pm) with the lowest speeds occurring at the eastern terminus of the express lanes, between Vasco Road and Greenville Road. Average express lane speeds throughout the rest of the day exceeded 70 mph. Most of the express lane corridor operates at LOS C or better during the evening commute hours, with limited sections of degraded LOS at the western end of the express lanes between 3 pm and 5 pm and at the eastern terminus between 4 pm and 6 pm. The express lanes averaged LOS B or better throughout the rest of the day in all locations. By comparison, the general purpose lanes experienced lower speeds and degraded levels of services for longer periods of time than the express lane during the evening commute hours.

Table 3 presents the maximum posted toll rates to travel the entire corridor in each direction, along with the average toll assessed to non-HOV users, for May 2017.

Table 3. Toll Rate Data for May 2017

Direction	Maximum Posted Toll (Travel Entire Corridor)	Average Assessed <sup>1</sup> Toll (All Toll Trips)
Westbound	\$9.75 (1 of 22 days)	\$2.25
Eastbound	\$9.00 (19 of 22 days)	\$3.04

<sup>1</sup> Assessed toll is the toll rate applied to non-toll-free trips and reflects potential revenue generated by the trip. Not all potential revenue results in actual revenue received.

During Fiscal Year 2016-17, the I-580 Express Lanes have recorded over 7.1 million total trips. Total gross revenues received include \$8.98 million in toll revenues and \$2.80 million in violation fees and penalties.

Staff is coordinating education and outreach with partner agencies including CCTA, MTC, 511 Contra Costa as well as local CMAs to promote consistent messaging and accessible information about the I-580, I-680 Sunol, and the I-680 Contra Costa County express lanes, which are scheduled to open later this summer.

**Fiscal Impact:** There is no fiscal impact.

#### Attachments

- A. I-580 Corridor Express Lane Location Map
- B. I-580 Corridor Heat Maps December 2016 – May 2017

#### Staff Contact

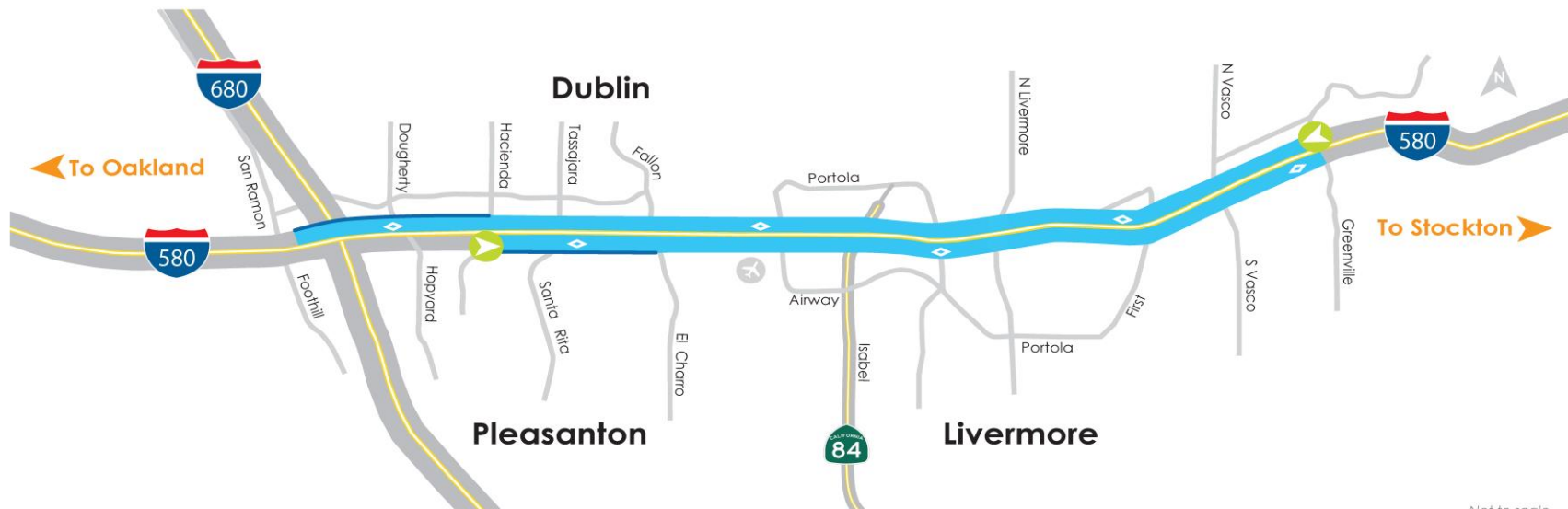
[Liz Rutman](#), Express Lanes Operation and Maintenance Manager





# I-580 Express Lanes Project Location Map

6.3A



Not to scale



## Two Eastbound Express Lanes

### Lanes begin at Hacienda



No entry/exit from eastbound express lanes from Hacienda to Fallon / El Charro.

**Please note:** For access to Santa Rita Road, do not enter express lanes.



## One Westbound Express Lane

### Lane begins at Greenville



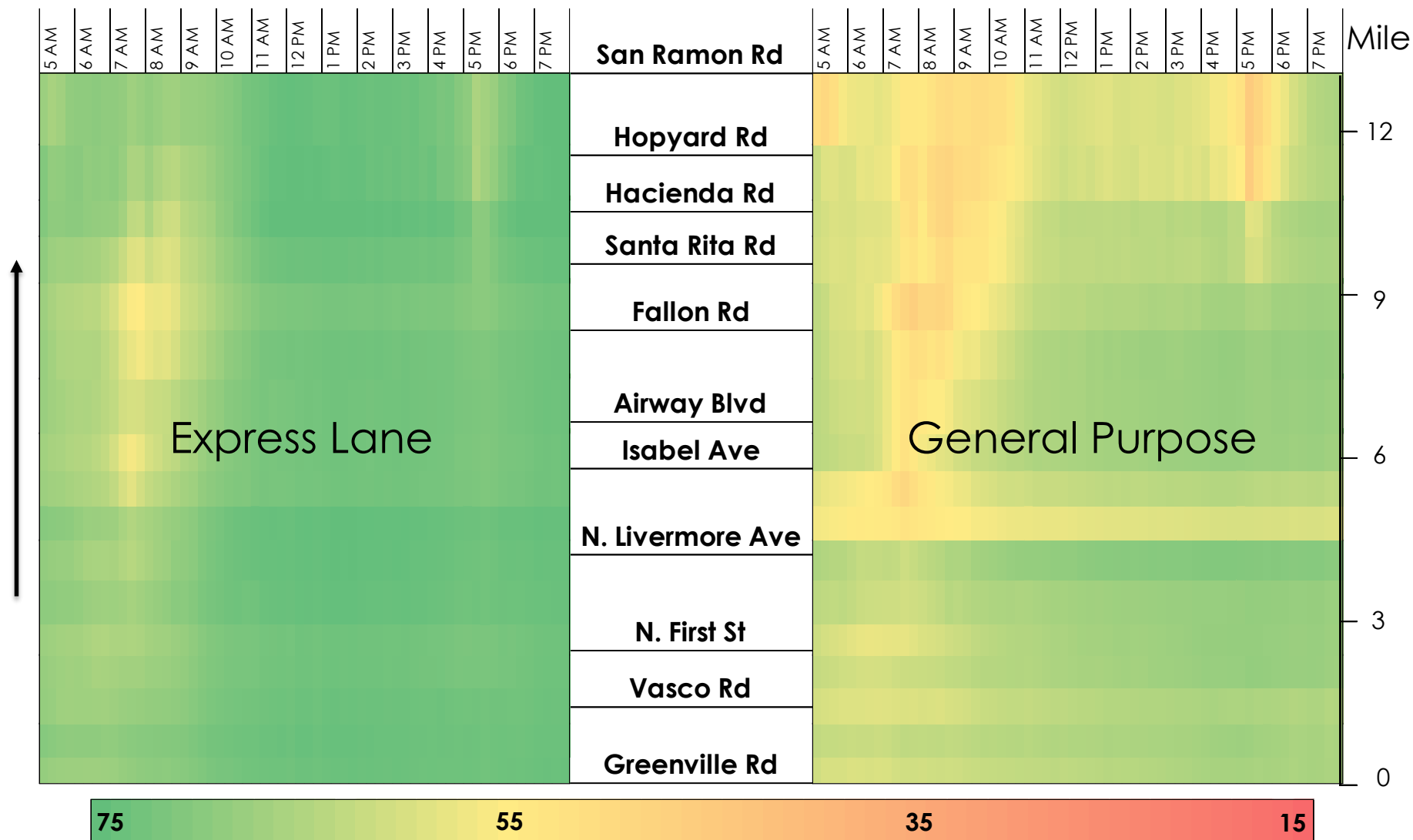
No entry/exit from westbound express lane from Hacienda to end.

**Please note:** For access to I-680 or Dougherty, exit express lane before Hacienda.

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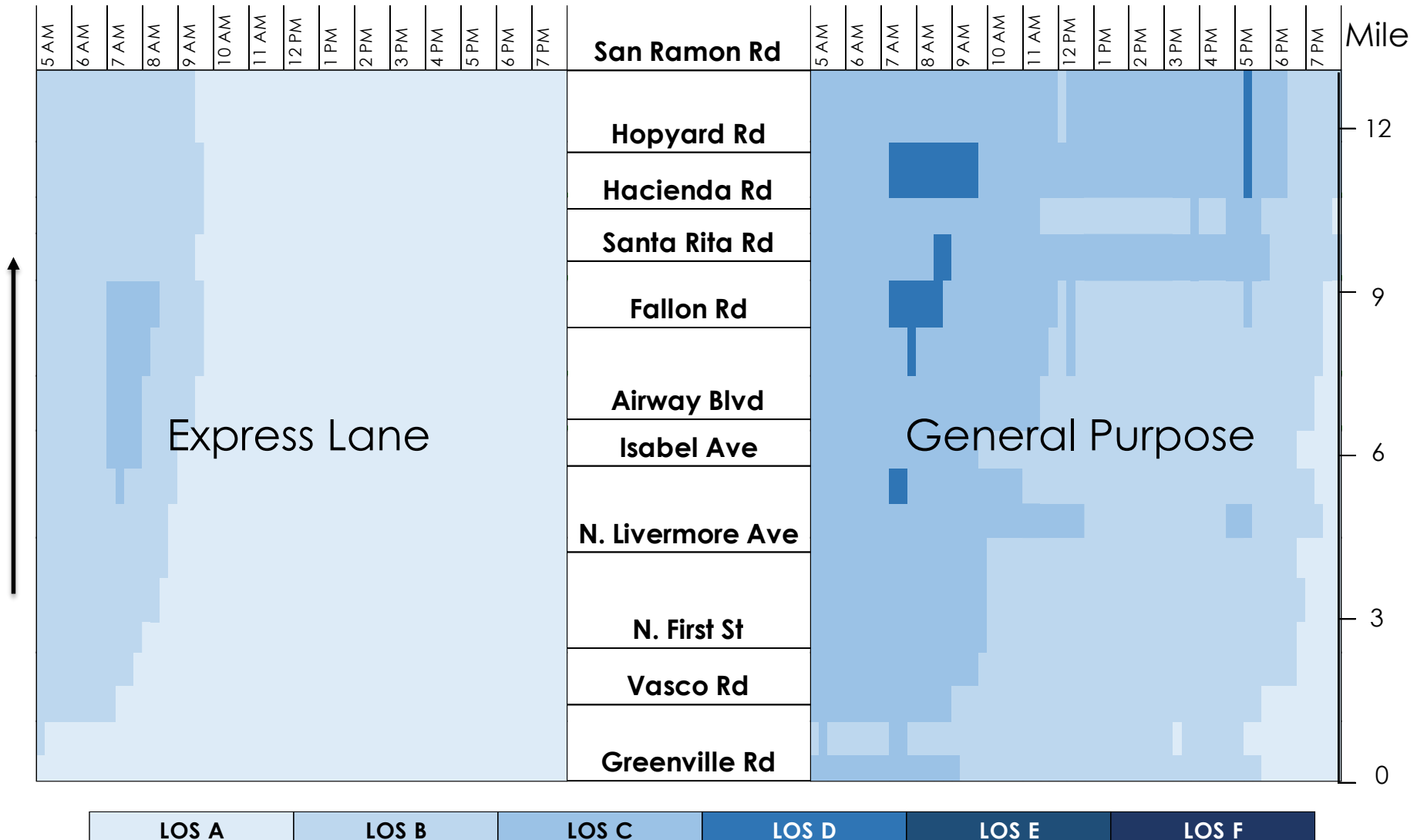
# Westbound I-580 Corridor Speed Heat Maps 6.3B

Monday-Friday, December 2016 – May 2017



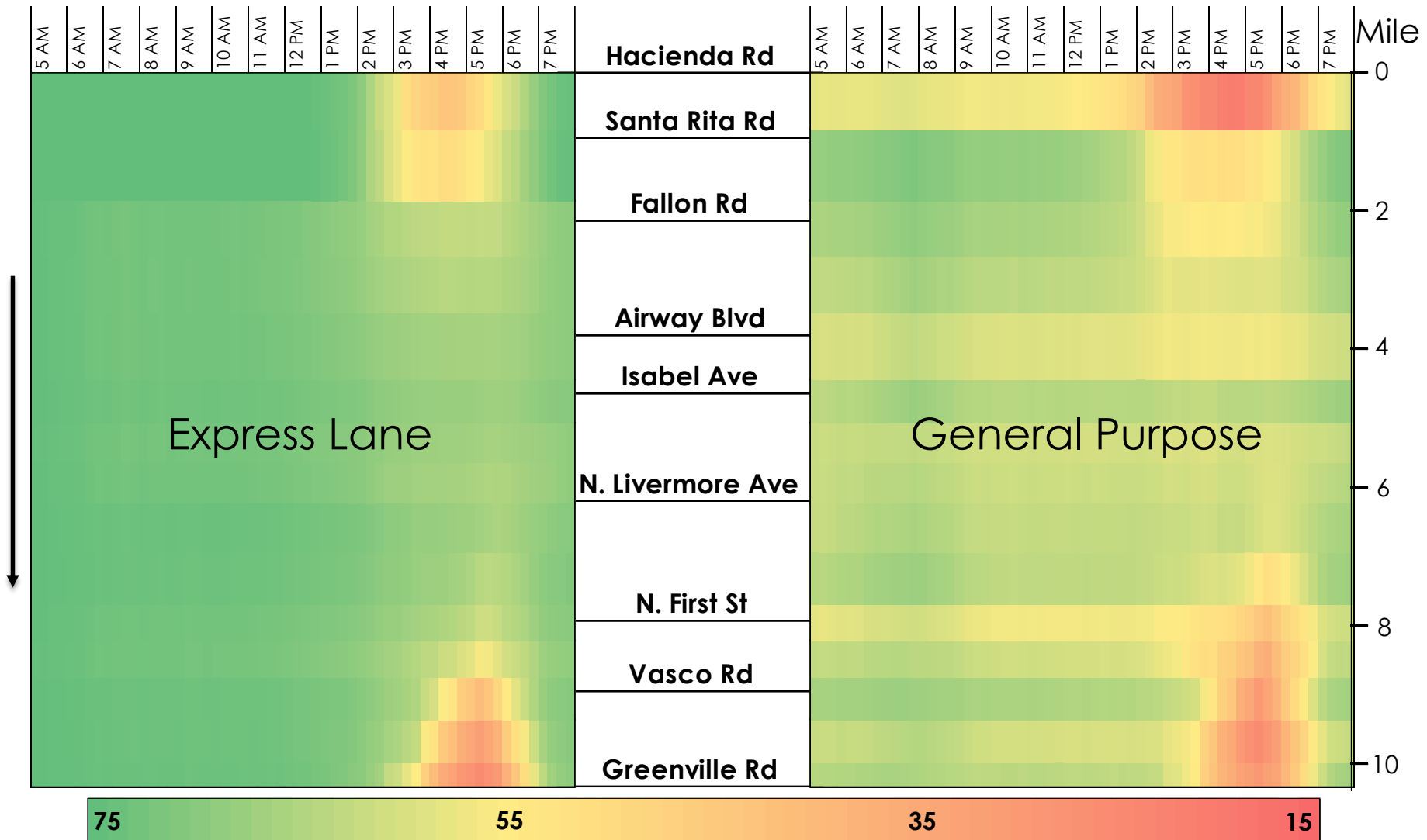
# Westbound I-580 Corridor Density Heat Maps

Monday-Friday, December 2016 – May 2017



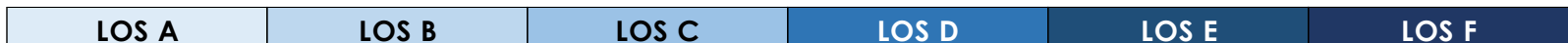
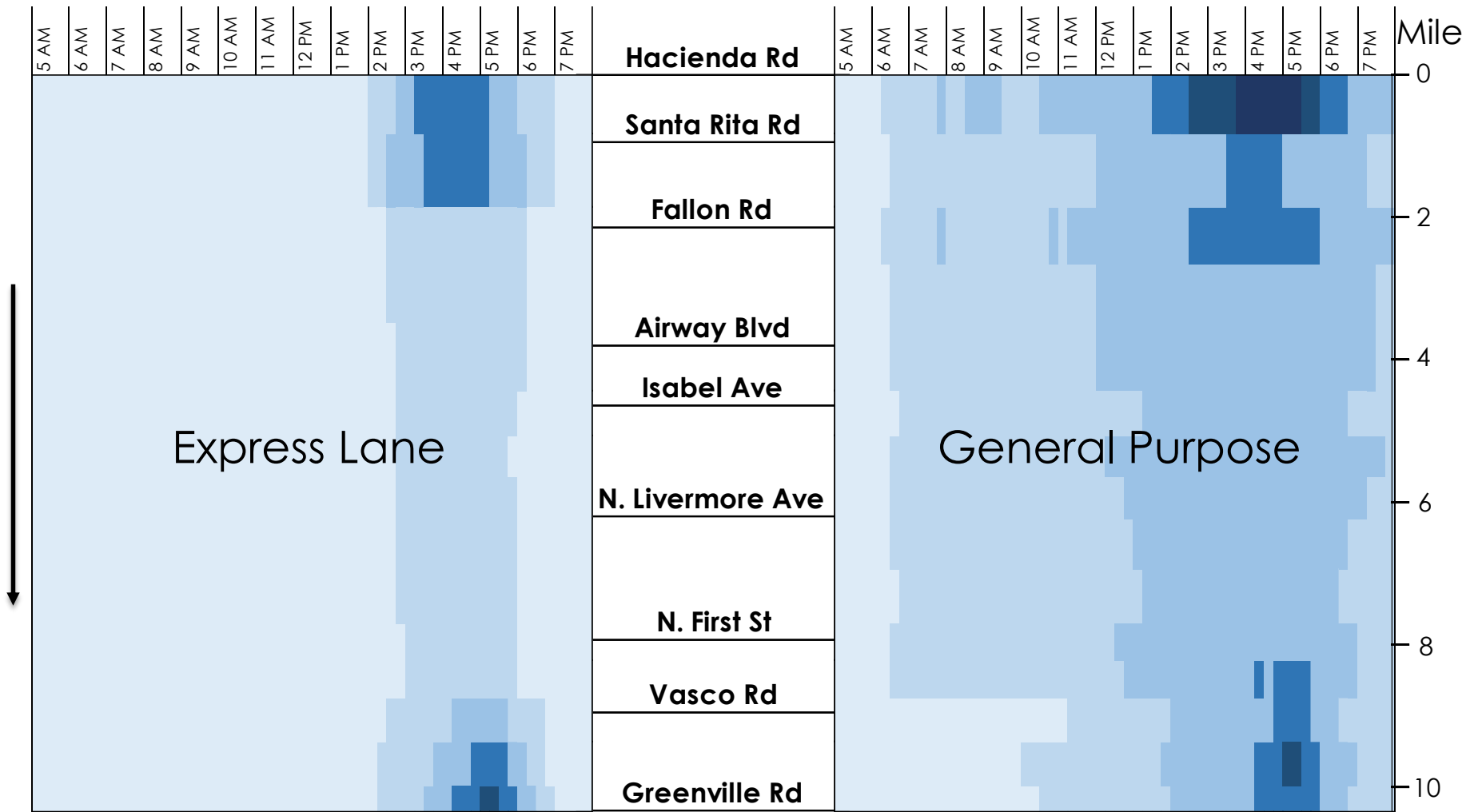
# Eastbound I-580 Corridor Speed Heat Maps

Monday-Friday, December 2016 – May 2017



# Eastbound I-580 Corridor Density Heat Maps

Monday-Friday, December 2016 – May 2017





# Memorandum

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• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** I-580 Express Lanes Tolling Policy and Pricing

**RECOMMENDATION:** Receive an information item on the current tolling policies and pricing procedures for the I-580 Express Lanes.

## Summary

This is an informational item on the I-580 Express Lanes tolling policies and pricing procedures. Alameda CTC is the project sponsor of the I-580 Express Lanes located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore. The I-580 Express Lanes provide high occupancy vehicle (HOV) lanes on I-580 from Hacienda Drive to Greenville Road in the eastbound direction, and from Greenville Road to San Ramon Road/Foothill Road in the westbound direction, while allowing non-HOV-eligible vehicles to choose to make use of the unused capacity in the HOV lane for a fee (toll). Section 149.5 of California Streets and Highway Code authorizes Alameda CTC, the administrative agency of I-580 Express Lanes, to adopt a fee structure to manage traffic congestion.

The Commission approved a set of Business Rules in January 2015, adopted the Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 Express Lanes in July 2015, and adopted a Toll Policy in September 2015. Toll rates are dynamically priced based on real-time traffic conditions to optimize the use of existing roadway capacity, thereby optimizing the traffic throughput without impeding the benefits of HOV lanes, including the reduction of greenhouse gas emission.

## Background

The I-580 Express Lanes, extending from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to San Ramon Road/Foothill Road in the westbound direction. An All Electronic Toll (AET) collection method has been employed to collect tolls. Toll rates are calculated based on real-time traffic conditions (speed and volume) in express and general purposes lanes and can change as frequently as every three minutes.

Although California Streets and Highways Code section 149.5 authorized Alameda CTC to conduct, administer, and operate a value pricing high-occupancy vehicle program

(Express Lane) on I-580, it was necessary for the Commission to adopt business rules, a toll ordinance, and tolling policies prior to opening the lanes to traffic.

The development of Business Rules was an iterative process that included several workshops in 2013. In February 2015, staff provided an update on the Business Rules (Attachment A). These rules dictated the facility and toll system design and encompassed the following major design concepts:

- Near continuous access
- Zone tolling
- Automated toll violation
- Trip building and toll collection
- Enforcement

These business rules also established that all HOV vehicles with two or more occupants, motorcycles, and clean-air-vehicles (CAVs) eligible to use HOV lanes per California law would be permitted to use the I-580 express lanes for free provided they carry FasTrak® flex (switchable) transponders and self-declare vehicle occupancy.

In July 2015, the Commission adopted the Ordinance for Administration of Tolls and Enforcement of Toll Violations for the I-580 express lanes (Attachment A). The ordinance establishes the administrative procedures and penalties to ensure that motorists who evade the payment of tolls while travelling in the I-580 express lanes shall be subject to civil penalties, while ensuring fairness in the treatment of violators. A majority of the ordinance is dictated by applicable State law in conjunction with the procedures of the Bay Area Toll Authority (BATA), which manages the FasTrak accounts and implements the automated tolling violation mechanism.

The Ordinance includes the following statements pertaining to I-580 Express Lane usage requirements:

- While traveling in the I-580 Express Lanes, Motorists shall have a properly mounted transponder associated with a valid FasTrak Account to facilitate vehicle occupancy validation and the toll collection process.
- Motorists traveling in the I-580 Express Lanes with the minimum number of vehicle occupants to qualify for high occupancy lane use at that time must have a Switchable Transponder set to the required number of occupants or they will be charged the posted single occupancy Toll.
- Motorists in single occupant vehicles authorized pursuant to California law as eligible users of high occupancy vehicle lanes shall carry a Switchable Transponder and set the self-declaration to three prior to entering the Express Lane.
- I-580 Express Lane users without a Switchable Transponder in the Vehicle traveling in the I-580 Express Lanes will be charged the posted single occupancy Toll rate.

In addition, the Toll Ordinance establishes the penalties for violation and processing of violation notices.



In September 2015, the Commission adopted a Toll Policy that established tolling parameters as shown in the table below. Establishment of toll rates is delegated to the Executive Director.

Item	Setting	Policy
Pricing	Dynamic	1. To provide real-time value pricing
Minimum toll rate*	\$0.30	1. Implement within the hours of operation
Maximum toll rate	No maximum	<ol style="list-style-type: none"> <li>1. Implement within hours of operation to optimize corridor capacity, without degrading the operation of HOV and GP Lanes</li> <li>2. Cap the maximum initial dynamic pricing at \$15</li> <li>3. Authorize the Executive Director to adjust the toll rate, within approved toll parameters to optimize corridor throughput, based on changing traffic conditions</li> <li>4. Maintain incremental toll rate increases within a \$2 - \$5 range</li> <li>5. Report back to Commission when toll rates are revised, within the approved Min/Max parameters</li> </ol>
Toll rate during "HOV ONLY" operation	\$30	1. Authorize the Executive Director to adjust the rate to deter illegal use of HOV lane
Toll Waiver/Reduction		1. Authorize the Executive Director to plan and execute a toll waiver/reduction plan

\*-Alameda CTC is committed to work with Caltrans to allay its concerns regarding general purposes lanes operation, during the off-peak hours. Any required change to toll rate, resulting from these discussions will be brought back to the Commission for its consideration.

In November 2016, staff reported to the Commission that, after evaluating operating costs associated with processing tolls, the minimum toll rate on I-580 would be increased to \$0.50 effective January 1, 2017. The currently implemented maximum toll rates on I-580 are \$9.00 in the eastbound direction and \$13.00 in the westbound direction.

The toll assessed to a vehicle is based on the first and last points the vehicle was detected in the express lane. The I-580 Express Lanes have seven eastbound and eight westbound toll zones, resulting in 64 combinations of entry and exit point each with a dynamically

calculated toll rate. See Attachment C for a map of the I-580 corridor toll zones. The presentation of this item will provide additional details regarding toll rates.

**Fiscal Impact:** There is no fiscal impact.

#### **Attachments**

- A. Business Rules (January 2015)
- B. Alameda County Transportation Commission Ordinance for Administration of Tolls and Enforcement of Toll Violations
- C. I-580 Corridor Express Lane Toll Zone Map

#### **Staff Contact**

[Liz Rutman](#), Express Lanes Operation and Maintenance Manager

## 1 Permitted Vehicles

- |   |  |
|---|--|
| <p>1.1 <b>Only vehicles with two axles, including motorcycles, are permitted to use the express lanes. [Federal Surface Transportation Assistance Act of 1982 §§167, CVC §§21654]</b></p> | <p>HOV/Express Lane: HOV and solo toll paying users will be allowed to use the lane.</p> |
| <p>1.2 <b>Any vehicle carrying a trailer or towing another vehicle, and vehicles with more than two axles, are not permitted to use the express lanes. [CVC §§21654]</b></p>              | <p>Violators may be cited by CHP for violating vehicle code.</p>                         |

## 2 Access

- |  |   |
|--|---|
| <p>2.1 <b>Near continuous access</b></p> | <p>Continuous access for most part. Buffer separation will be provided where safety and/or traffic conflicts are anticipated.</p> |
|--|---|

## 3 Hours of Operation/Occupancy Requirement/HOV Degradation

- |   |   |
|---|---|
| <p>3.1 <b>Hours of Operation</b></p>    | <p>The I-580 express lane tolling hours of operation shall be concurrent with the HOV hours of operation. [Ref. California Streets &amp; Highway code §§ 149.]. Current HOV hours could be extended by HOV Lane Committee</p>   |
| <p>3.2 <b>Occupancy Requirement</b></p> | <p>Current high occupancy requirement for the I-580 EL is two or more passengers (HOV 2+) in each permitted vehicle.</p>  |
| <p>3.3 <b>HOV Degradation</b></p>       | <p>During morning and evening commute hours, or both, maintain 45 MPH or higher in HOV lane for 90% of the time.</p> <p>When HOV/Express Lane is degraded, the mode of operation will automatically switch to HOV Only.</p> <p>When "HOV Only" mode is displayed on a dynamic message sign it means that solo drivers shall not enter the HOV/express lane unless they are a motorcycle or clean air vehicles allowed in the HOV lane, as "HOV Eligible Vehicles" per current State laws. CHP may issue violation notices to the violators.</p> |

When the express lane is in HOV Only mode vehicles already in the express lanes that do not meet the occupancy requirement will be charged the locked-in rate for that segment.

## 4 Pricing/Tolling

- |                            |  |
|----------------------------|--|
| 4.1 <b>Dynamic Pricing</b> | Congestion pricing, based on real-time congestion in the corridor (i.e. in GP & Express Lanes), be automatically updated every 3 minutes |
| 4.2 <b>Zone tolling</b>    | Flat rate for travel within a zone.  |
| 4.3 <b>Min/Max</b>         | Subsequent to rate sensitivity analysis, in summer 2015, Commission will adopt Min./Max toll rates for toll operation                    |
| 4.4 <b>Locked in rates</b> | Customers will be locked-in to pay the toll rate displayed on the DMS at the time of their entrance into the express lane.               |

## 5 Trip Building/Toll Collection

- |   |  |
|---|--|
| 5.1 <b>All electronic tolling (AET)</b> | Automatic toll collection through electronic device. No toll plaza/toll gate OR reason to slow down. Toll gantries will be placed approximately at 3/4 mile intervals. |
| 5.2 <b>Toll Trip Building</b>           | Based on transponder reads or license plate image capture at toll gantries   |

For enforcement purposes, all vehicles using the facility will be required to carry electronic toll devices (FasTrak or FasTrak flex). HOV users will not be charged tolls, if occupancy requirement is met.

Vehicles equipped with standard (legacy) transponders will be tolled at the SOV toll rate regardless of occupancy. As authorized by AB 1811, any HOV traveler will require to carry a device, switchable transponder (aka FasTrak flex) with the setting at "2" or "3" to receive toll waiver. HOV eligible travelers (decal vehicles, motorcycles, allowed in HOV lane for free) must carry a FasTrak flex transponder with the setting at "3."

FasTrak flex Transponder Trips with different switch settings within a single Trip will be assigned the lowest occupancy setting that is detected during that Trip.

Transit & vanpools (registered through Rideshare) that are not equipped with a non-revenue transponder must carry FasTrak flex Transponders and meet occupancy requirements to receive HOV discounts.

Vehicles with metallic windshields must use a bumper mounted transponder. Vehicles with metallic windshields cannot receive the HOV discount.

Rental cars: Tolls will be charged to the rental account. It is the responsibility of the customer to check with the rental agency and to make sure they are opted in to use the rental toll payment program. Customers in rental cars are not eligible for HOV travel on the express lanes unless occupancy requirements are met and a valid FasTrak flex transponder is mounted in the vehicle.

By license plate image capture review process, all vehicles without transponders will be charged the SOV toll (and violation penalties if applicable).

**5.3 Authorized emergency vehicles (that properly displaying an exempt California license plate) are exempt from the requirement to pay a toll**

The driver of the vehicle will decide whether the use of the toll facility will likely to improve the availability or response and arrival time of the authorized emergency vehicle and its delivery of essential public safety services. [Ref. CVC §23301.]

## **6 Enforcement**

**6.1 Toll Violation Enforcement (automated)**

Commission will consider adopting Toll Ordinance to enact toll violation processing/penalties in its June and July 2015 meetings

A maximum toll penalty will be established by the Commission. Staff will seek approval in March 2015.

Drivers who incur a toll and do not have a registered account eligible for posting the Trip Transaction at the time of travel will be issued a Violation Notice.

All images captured in support of a Trip Transaction will be available at the TDC for trip building, to be used in support of violation notices and to resolve customer disputes received by customer service center

**6.2 Occupancy Violation Enforcement (by CHP)**

Occupancy requirement will be field verified by CHP officers

System enforcement tools, including beacon lights and access to web portal will be provided to the CHP to assist them in the enforcement effort.

After pulling a vehicle over, CHP will use a web portal to query the transponder ID and most recent occupancy switch positions to confirm whether customer declaration at the previous Toll Read Point is consistent with observed vehicle occupancy.

After issuing a citation, a CHP officer may use the web portal to e-mail [encrypted] transponder and other motorist engagement information for time-stamped court documentation with historical data.

CHP will also enforce lane crossing restrictions and other associated laws/rules regarding express lane operations.

## **7 Miscellaneous**

**7.1 Performance Monitoring**

Alameda CTC express lane operators are responsible for monitoring and reporting the freeway performance, as required by State and Federal laws. The operators may also provide assistance to incident management when contacted by CHP or the Traffic Management Center.

**7.2 Traffic control**

All maintenance and traffic control activities will follow Caltrans lane closure guidelines, procedures, and permitting.

# **ALAMEDA COUNTY TRANSPORTATION COMMISSION**

## **ORDINANCE FOR ADMINISTRATION OF TOLLS AND ENFORCEMENT OF TOLL VIOLATIONS FOR THE I-580 EXPRESS LANES**

### **PREAMBLE**

The Alameda County Transportation Commission (“Alameda CTC”) is authorized pursuant to California Streets and Highways Code section 149.5 to conduct, administer, and operate a value pricing high-occupancy vehicle program (“Express Lane”) on Interstate 580 (“I-580”) in Alameda County. As of the date of this Ordinance, the Alameda CTC is in the process of constructing two eastbound Express Lanes which shall operate on eastbound I-580 from Hacienda Drive to Greenville Road (“I-580 Eastbound Express Lanes”), and a westbound Express Lane which shall operate on westbound I-580 from Greenville Road to San Ramon Road / Foothill Road (“I-580 Westbound Express Lane”). The I-580 Eastbound Express Lanes and the I-580 Westbound Express Lane shall hereinafter be collectively referenced herein as the “I-580 Express Lanes.” Tolls on the I-580 Express Lanes shall be determined through a dynamic process pursuant to certain procedures and limitations adopted by the Alameda CTC, as may be modified from time to time.

While traveling in the I-580 Express Lanes, motorists are required to have a properly mounted transponder associated with a valid FasTrak® Account to facilitate vehicle occupancy validation and the toll collection process pursuant to California Vehicle Code (“Code”) section 23302 *et seq.*, and California Streets and Highways Code Section 194.5(b). Code Section 23302.5 provides that it is unlawful for a person to evade or attempt to evade the payment of tolls or other charges on any vehicular crossing or toll highway, and further provides that such acts are subject to civil penalties. Code Division 17, Chapter 1, Article 4, commencing with section 40250 (“Article 4”), provides for enforcement of civil penalties for violation of Code Section 23302.5 and any ordinance enacted by local authorities including joint powers authorities, pursuant to civil administrative procedures set forth in Article 4. This Ordinance establishes the administrative procedures and penalties, enacted pursuant to Article 4, to ensure that motorists who evade the payment of tolls while travelling on the I-580 Express Lanes shall be subject to civil penalties, while ensuring fairness in the treatment of violators.

Now, therefore, the governing body of the Alameda County Transportation Commission hereby ordains as follows:

### **ARTICLE I - GENERAL**

#### **Section 1. Title**

This ordinance shall be known as the “I-580 Express Lanes Toll Enforcement Ordinance.”

## **Section 2. Definitions**

In addition to the definitions set forth hereinabove, the following definitions shall apply throughout this Ordinance:

- (a) “BATA” means the Bay Area Toll Authority.
- (b) “Commission” means the governing body of the Alameda CTC.
- (c) “Delinquent Penalty” is the amount assessed when a Violation is deemed to be delinquent as set forth in **Section 5** of this Ordinance.
- (d) “Department” shall mean the California Department of Motor Vehicles.
- (e) “Due Date” shall mean the date specified in the Notice of Toll Evasion Violation and Notice of Delinquent Toll Evasion Violation by which payment of the Penalty or written explanation of contest must be received.
- (f) “FasTrak” or “FasTrak<sup>®</sup>” means the electronic toll collection system, managed by BATA in the San Francisco Bay Area, which allows Motorists to prepay tolls on the I-580 Express Lanes and other toll facilities in the Bay Area and elsewhere in California.
- (g) “FasTrak Account” shall mean an account established with any of the California toll operators to administer the payment of tolls.
- (h) “Motorist” shall mean the registered owner, rentee, lessee and/or driver of a Vehicle.
- (i) “Notice of Delinquent Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle when a Penalty has not been timely received by Alameda CTC.
- (j) “Notice of Toll Evasion Violation” shall mean the written notice provided to the registered owner of a Vehicle which has committed a Violation.
- (k) “Penalty” shall mean the monetary amounts assessed to each toll Violation, including the unpaid Tolls, the Toll Evasion Penalty and the Delinquent Penalty, and constitutes a toll evasion penalty under Code section 40252.
- (l) “Processing Agency” shall mean Alameda CTC, or the contractor or vendor designated by Alameda CTC, as the party responsible for the processing of the notices of toll evasion.
- (m) “Repeat Violator” means any registered owner for whom more than five (5) Notices of Toll Evasion Violation have been issued in any calendar month within the preceding twelve (12) month period.



(n) “Switchable Transponder” or “FasTrak flex<sup>®</sup>” shall each mean a Transponder with a switch which allows Motorists to self-declare the number of vehicle occupants.

(o) “Terms and Conditions” shall mean the obligations of Alameda CTC and a FasTrak customer with regard to the usage and maintenance of a FasTrak Account as published by BATA or other applicable California toll operator from time to time.

(p) “Toll” shall mean the monetary charges for use of the I-580 Express Lanes as applicable at the time a Motorist enters either of the I-580 Express Lanes, as determined through the dynamic pricing system established by Alameda CTC.

(q) “Toll Evasion Penalty” is the amount assessed under **Section 5** of this Ordinance.

(r) “Transponder” shall mean a FasTrak electronic device issued by any of the California toll operators that meets the specifications of California Code of Regulations Title 21 and is used to pay tolls electronically.

(s) “Vehicle” shall mean any vehicle as defined in Code section 670.

(t) “Violation” shall mean the commission of any activity proscribed in **Sections 3** and **4** of this Ordinance.

### **Section 3. I-580 Express Lanes Usage Requirements**

(a) While traveling in the I-580 Express Lanes, Motorists shall have a properly mounted transponder associated with a valid FasTrak Account to facilitate vehicle occupancy validation and the toll collection process. Motorists traveling in the I-580 Express Lanes with the minimum number of vehicle occupants to qualify for high occupancy lane use at that time must have a Switchable Transponder set to the required number of occupants or they will be charged the posted single occupancy Toll.

(1) I-580 Express Lanes users with a Switchable Transponder in the Vehicle traveling in the I-580 Express Lanes shall set the self-declaration switch to the actual number of vehicle occupants prior to travel.

(2) Motorists in single occupancy vehicles authorized pursuant to California law as eligible users of high occupancy vehicle lanes shall carry a Switchable Transponder and set the self-declaration to either the two or three position prior to entering the Express Lane.

(3) I-580 Express Lanes users without a Switchable Transponder in the Vehicle traveling in the I-580 Express Lanes will be charged the posted single occupancy Toll rate.

(4) Vehicle occupancy violations, including falsely self-declaring the vehicle occupancy, are subject to citation by the California Highway Patrol.

(b) The FasTrak Account associated with the Transponder contained in any Vehicle must have a balance sufficient to pay the charged Tolls each the time the Vehicle enters the I-580 Express Lanes.

(c) I-580 Express Lanes FasTrak accountholders shall adhere to the Terms and Conditions provided at the time of account opening as updated thereafter with notification to the accountholders.

#### **Section 4. Liability for Failure to Pay Toll**

(a) No person shall cause a Vehicle to enter the I-580 Express Lanes without payment of the Toll for the Vehicle by use of a Transponder, issued by Alameda CTC or any California toll agency, which is associated with a FasTrak Account containing a balance sufficient to pay those Tolls.

(b) Except as provided herein, the registered owner and the driver, rentee or lessee of a Vehicle which is the subject of any Violation shall be jointly and severally liable for any Penalty imposed under this Ordinance, unless the registered owner can demonstrate that the Vehicle was used without the express or implied consent of the registered owner. Anyone who pays any Penalty pursuant to this Ordinance shall have the right to recover the same from the driver, rentee or lessee, and not from the Alameda CTC or the Processing Agency.

(c) The driver, rentee or lessee of a Vehicle who is not the owner of the Vehicle may contest the Notice of Toll Evasion Violation in accordance with this Ordinance.

(d) Any Motorist assessed a Penalty for a Violation shall be deemed to be charged with a non-criminal, civil violation.

#### **Section 5. Penalties and Processing of Violation(s)**

(a) The Penalties for a Violation of this Ordinance shall be the amounts set forth in the Schedule of Penalties attached hereto as **Appendix A** and incorporated by reference herein. The Schedule of Penalties was adopted by the Commission on March 26, 2015, and may be amended by action of the Commission from time to time without the need to amend or reconsider this Ordinance, provided that such Penalties but may not be greater than the amounts established under Code section 40258 as the maximum Penalties for civil toll evasion violations. If the driver of any Vehicle is arrested pursuant to Article 1 (commencing with Section 40300) of Chapter 2 of the Code, the civil procedure for enforcement of violations established by this Ordinance shall not apply. Revenues received from the Penalties assessed pursuant to this subsection shall be returned to the Alameda CTC.

(b) If a Violation is detected by any means (including automated device, photograph, video image, visual observation, or otherwise), a Notice of Toll Evasion Violation shall be sent to the registered owner by first class mail at the address for the registered owner as shown on the record of the Department within twenty-one (21) days of the Violation. In the case of joint ownership, the Notice of Toll Evasion Violation shall be issued to the first name appearing in the registration. If accurate information concerning the identity and address of the registered owner is not available within twenty-one (21) days from the Violation, the Processing Agency

shall have an additional forty-five (45) calendar days to obtain such information and forward the Notice of Toll Evasion Violation, provided that where the registered owner is a Repeat Violator, the Processing Agency shall forward the Notice of Toll Evasion Violation within ninety (90) calendar days of the Violation.

## **Section 6. Notice of Toll Evasion Violation**

(a) The Notice of Toll Evasion Violation shall contain (1) sufficient information to enable the recipient thereof to determine the date, time and location of the alleged Violation, (2) the section of the Code allegedly violated, (3) the Penalty due for that Violation, (4) the identity and address of the registered owner, (5) the alphanumeric designation of the license plate on the Vehicle that was used in the alleged Violation, (6) if practicable, the registration expiration date and the make of the Vehicle, (7) the procedure to follow for payment of the amount due, (8) a statement in bold print that payments may be sent in the mail, (9) the date and time within which the Penalty must be paid, (10) a clear and concise explanation of the procedures for filing an affidavit of non-liability in those circumstances set forth in subsections B, C and D of this **Section 6**, and for contesting the alleged Violation and appealing an adverse decision in accordance with **Section 9** of this Ordinance, (11) the Due Date, which is also the date by which the written explanation of contest must be received by Alameda CTC, and (12) a statement that there will be additional court costs and fees incurred by the Motorist according to the local jurisdiction rules if collection is pursued through court action.

(b) The Notice of Toll Evasion Violation shall contain, or be accompanied an affidavit of non-liability and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.

(c) If the affidavit of non-liability is returned to the Processing Agency within twenty-one (21) days of the issuance of the Notice of Toll Evasion Violation together with proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the Notice of Toll Evasion Violation and make an adequate record of the reasons.

(d) If the affidavit of non-liability is returned to the Processing Agency by the Due Date with proof that the registered owner given the Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) such owner has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served registered owner and proceed against the new owner of the Vehicle.

(e) If the affidavit of non-liability is returned to the Processing Agency by the Due Date of the Notice of Toll Evasion Violation together with the proof of an executed written rental agreement or lease between a bona fide renting or leasing company and its customer that

identifies the rentee or lessee and provides the driver's license number, name and address of the rentee or lessee, the Processing Agency shall serve or mail to the rentee or lessee identified in the affidavit of non-liability a Notice of Toll Evasion Violation.

(f) If payment of the Penalty is not received by Processing Agency by the Due Date on the Notice of Toll Evasion Violation, the Processing Agency shall deliver by first-class mail a Notice of Delinquent Toll Evasion Violation.

(g) If the description of the Vehicle in the Notice of Toll Evasion Violation does not match the corresponding information on the registration card for that Vehicle, the Processing Agency may, on written request of the Motorist, cancel the Notice of Toll Evasion Violation without the necessity of appearance by that person.

#### **Section 7. Dismissal of Notice of Toll Evasion Violation**

(a) If, after a copy of the Notice of Toll Evasion Violation has been sent to the Motorist, the Processing Agency determines that due to failure of proof of apparent Violation the Notice of Toll Evasion Violation shall be dismissed, the Processing Agency shall cancel the Notice of Toll Evasion Violation, and the Motorist shall be so notified by first-class mail.

(b) If the full amount of the Penalty is received by the person authorized to receive the payment of the Penalty by the Due Date and there is no contest as to that Violation, proceedings under this Ordinance shall terminate.

(c) If (i) the Motorist is a holder of a FasTrak Account in good standing with BATA or other California toll operator or (ii) the Motorist has never received a prior Notice of Toll Evasion Violation under this Ordinance and opens a new FasTrak account, and such Motorist follows the procedures and meets the deadlines established by the Processing Agency, as such procedures and deadlines may be modified from time to time, to pay the Toll due on such Notice of Toll Evasion Violation from the Motorist's FasTrak Account in a timely manner, the Toll shall be charged to such Motorist's FasTrak Account and proceedings under this Ordinance shall terminate.

(d) If the registered owner of the Vehicle provides proof to the Processing Agency that he or she was not the registered owner on the date of the Violation as set forth in **Sections 6 and 8** of this Ordinance, proceedings against the notifying party shall terminate. This does not limit the right of the Processing Agency to pursue collection of the delinquent toll evasion Penalty from the person who was the registered owner of the Vehicle on the date of the alleged Violation.

#### **Section 8. Notice of Delinquent Toll Evasion Violation**

(a) If the payment of the Penalty is not received by the Processing Agency by the Due Date on the Notice of Toll Evasion Violation, and there is no contest as to that Violation as set forth in **Section 10** of this Ordinance, the Processing Agency shall deliver by first-class mail to the registered owner of the Vehicle a Notice of Delinquent Toll Evasion Violation.

(b) Alameda CTC or Processing Agency shall establish a procedure for providing, upon request, a copy of the original Notice of Toll Evasion Violation or an electronically produced facsimile of the original Notice of Toll Evasion Violation within fifteen (15) days of a request therefor. Alameda CTC may charge a fee sufficient to recover the actual costs of providing the copy not to exceed Two Dollars (\$2), to be established by the Executive Director of Alameda CTC. Until the Processing Agency complies with a request for a copy of the original notice of Violation, the Processing Agency may not proceed to collection of amounts covered by such notice.

(c) The Notice of Delinquent Toll Evasion Violation shall contain the information required to be contained in the original Notice of Toll Evasion Violation and, additionally, shall contain a notice to the registered owner that, unless the registered owner pays the Penalty, contests the Violation pursuant to the procedure set forth in the Notice of Toll Evasion Violation, or completes and returns to the Processing Agency an affidavit of non-liability, as provided with the Notice of Toll Evasion Violation and in compliance with subsections D, E and F of **Section 6**, within fifteen (15) days after the mailing of the Notice of Delinquent Toll Evasion Violation (the Due Date): (1) the Penalty shall be considered a debt due and owing Alameda CTC, (2) the renewal of the Vehicle registration shall be contingent upon compliance with the Notice of Delinquent Toll Evasion Violation at Alameda CTC's election, and (3) Alameda CTC may seek to recover in any lawful manner, as provided for in **Section 12**.

(d) The Notice of Delinquent Toll Evasion Violation shall contain, or be accompanied with, an affidavit of non-liability and information of what constitutes non-liability, information as to the effect of executing the affidavit, and instructions for returning the affidavit to the Processing Agency.

(e) If the affidavit of non-liability is returned to the Processing Agency within fifteen (15) days of the mailing of the Notice of Delinquent Toll Evasion Violation (the Due Date) together with proof that the driver at the time of the Violation did not possess express or implied consent to drive the Vehicle as evidenced by a stolen vehicle police report, if the Processing Agency is satisfied that the registered owner is not responsible for the Violation, the Processing Agency shall cancel the Notice of Toll Evasion Violation and make an adequate record of the reasons.

(f) If the affidavit of non-liability is returned to the Processing Agency by the Due Date with proof that the registered owner given the Notice of Toll Evasion Violation has made a bona fide sale or transfer of the Vehicle and has delivered possession thereof to the purchaser prior to the date of the alleged Violation and either (1) such owner has complied with section 5602 of the Code, or (2) the Processing Agency is satisfied with evidence that establishes that the transfer of ownership and possession of the Vehicle occurred prior to the date of the alleged Violation, and has obtained verification from the Department, then the Processing Agency shall terminate proceedings against the originally served Motorist and proceed against the unauthorized driver at the time of the Violation, or the new owner of the Vehicle.

(g) If the affidavit of non-liability is returned to the Processing Agency within fifteen (15) days of the mailing of the Notice of Delinquent Toll Evasion Violation (the Due Date set forth in the Notice of Delinquent Toll Evasion Violation) together with the proof of an

executed written rental agreement or lease between a bona fide renting or leasing company and its customer that identifies the rentee or lessee and provides the driver's license number, name, and address of the rentee or lessee, the Processing Agency shall mail to the rentee or lessee identified in the affidavit of non-liability a Notice of Delinquent Toll Evasion Violation. If payment is not received within fifteen (15) days of such mailing of the Notice of Delinquent Toll Evasion Violation, the Penalty shall be considered a debt due and owing Alameda CTC, and Alameda CTC may seek to recover in any lawful manner, as provided for in **Section 12**, from the rentee or lessee.

#### **Section 9. Payment After Notice of Delinquent Toll Evasion Violation**

If a Motorist who was mailed a Notice of Delinquent Toll Evasion Violation pursuant to **Section 8** of this Ordinance, or any other person who presents the Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation, deposits the Penalty due with a person authorized to receive it, then the Processing Agency shall follow the procedures set forth in Section 40266 of the Code.

#### **Section 10. Contest of Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation**

(a) A person may contest a Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation within twenty-one (21) days of the issuance of the Notice of Toll Evasion Violation, or within fifteen (15) days of the issuance of the Notice of Delinquent Toll Evasion Violation, as applicable.

(b) The Processing Agency shall establish a fair and impartial investigation process to investigate the circumstance of the notice with respect to the contestant's written explanation of reasons for contesting a Violation. The Processing Agency shall investigate with its own records and staff the circumstances of the notice with respect to the contestant's written explanation of reasons for contesting the Violation. If based upon the results of that investigation, the Processing Agency is satisfied that the Violation did not occur or that the registered owner was not responsible for the Violation, the Processing Agency shall cancel the Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation and make an adequate record of the reasons for cancelling the notice. The Processing Agency shall mail the results of the investigation to the person who contested the Notice of Toll Evasion Violation or the Notice of Delinquent Toll Evasion Violation.

(c) A person who contests a Notice of Toll Evasion Violation or Notice of Delinquent Toll Evasion Violation and is not satisfied with the results of the investigation may, within fifteen (15) days of the mailing of the results of the investigation, deposit the amount of the Penalty as set forth in subsection D of this **Section 10** and request an administrative review. The Processing Agency shall hold the administrative review within ninety (90) calendar days following the receipt of the request for an administrative review accompanied by the required deposit amount. The person requesting the administrative review may request one (1) continuance, not to exceed twenty-one (21) calendar days. The person requesting the administrative review shall indicate to the Processing Agency his or her election for a review by mail or personal conference.

(d) The deposit for requesting an administrative review shall be as follows:

(1) Except as provided herein, an individual seeking an administrative review shall deposit the full amount of the Penalty due at the time of the request.

(2) Individuals unable to pay the required deposit may apply for a hardship exception, which may be granted by the Processing Agency in its discretion.

(e) If the person requesting an administrative review is a minor, that person shall be permitted to appear at an administrative review or admit responsibility for a Violation without the necessity of the appointment of a guardian. The Processing Agency may proceed against that person in the same manner as if that person were an adult.

(f) As evidence of the Violation the Processing Agency shall produce the Notice of Toll Evasion Violation or a copy thereof, information received from the Department identifying the registered owner of the Vehicle, and a statement under penalty of perjury from the person authorized to issue a notice of Violation that the Tolls or other charges and any applicable fee were not paid in accordance with Alameda CTC's policies. This documentation in proper form shall be prima facie evidence of the Violation.

(g) The reviews shall be conducted in accordance with the written procedures established by the Processing Agency which shall ensure a fair and impartial review of the contested Violations. The Processing Agency shall provide its decision by first-class mail to the contestant. If a notice of appeal to the California Superior Court is not filed within the period set forth in **Section 11**, the decision shall be deemed final.

(h) The Processing Agency shall designate one or more individuals to serve here as the hearing officer(s) appointed to conduct administrative reviews pursuant to this **Section 10**. Each hearing officer shall demonstrate the qualifications, training and objectivity necessary to perform fair and impartial reviews. No hearing officer's employment, performance evaluation, compensation and benefits shall be directly or indirectly linked to the outcome of reviews or the revenue generated by such reviews.

## **Section 11. Appeal to Superior Court**

A person who requests an administrative review and is not satisfied with the results of the review, may within twenty (20) days after the mailing of the Processing Agency's final decision seek review by filing an appeal to the Alameda County Superior Court, where the case shall be heard de novo, except that the contents of the Processing Agency's file in the case on appeal shall be received in evidence. For the purposes of computing the twenty (20)-day period, section 1013 of the Code of Civil Procedure shall be applicable. The Processing Agency shall admit into evidence as prima facie evidence of the facts stated therein, a copy of the Notice of Toll Evasion Violation and/or Notice of Delinquent Toll Evasion Violation. A copy of the notice of appeal shall be served in person or by first-class mail upon the Processing Agency by the contestant. Notwithstanding section 72055 of the Government Code, the fee for filing the notice of appeal shall be Twenty-Five Dollars (\$25). If the appellant prevails, this fee, together with the deposit of the Penalty made by the contestant, shall be promptly refunded by the Processing Agency in accordance with the judgment of the court.

## **Section 12. Collection of Unpaid Penalties**

If payment is not received within the time periods set forth herein, and no contest has been timely filed, or has been resolved, Alameda CTC and the Processing Agency are authorized to proceed under one or more of the following options for the collection of unpaid Penalties:

(a) Transmit an itemization of unpaid Penalties with the Department for collection with the registration of the Vehicle. Alameda CTC shall pay the fees assessed by the Department associated with the recording of the Notice of Delinquent Toll Evasion Violation and may charge the amount of the fee to the Motorists to be collected by the Department.

(b) If more than Four Hundred Dollars (\$400) in unpaid Penalties have been accrued by any person or registered owner, Alameda CTC may file proof of that fact with the Superior Court with the same effect as a civil judgment. Execution may be levied and other measures may be taken for the collection of the judgment as are authorized for the collection of any unpaid civil judgments entered against a defendant in an action on a debt. The court may assess costs against a judgment debtor to be paid upon satisfaction of the judgment. The Processing Agency shall mail a notice by first-class mail to the person or registered owner indicating that a judgment shall be entered for the unpaid Penalties and that after thirty (30) days from the date of the mailing of the notice, the judgment shall have the same effect as an entry of judgment against a judgment debtor. The notice shall include all information required by Code section 40267. The filing fee and any costs of the collection shall be added to the judgment amount.

(c) If the Processing Agency has determined that registration of the Vehicle has not been renewed for sixty (60) days beyond the renewal date, and the Penalty has not been collected by the Department pursuant to section 4770 of the Code, file proof of unpaid Penalties with the court with the same effect as a civil judgment as provided above, except that if the amount of the unpaid Penalty is not more than Four Hundred Dollars (\$400), the filing fee shall be collectible by the court from the debtor.

(d) Contract with a collection agency to collect Penalty amounts.

(e) Submit a request to the California State Controller for an offset of unpaid Penalty owing by a Motorist against any amount owing the person or entity by a claim for a refund from the Franchise Tax Board under Personal Income Tax Law or the Bank and Corporation Law or from winnings in the California State Lottery, as authorized by California Government Code section 12419.12. Alameda CTC shall provide notice of intent to request an offset by first-class mail to the Motorist thirty (30) days prior to the request date.

(f) Pursue such other remedies and enforcement procedures that are authorized under the laws of the State of California.

## **Section 13. Termination of Proceedings**

The Processing Agency shall terminate proceedings on the Notice of Delinquent Toll Evasion Violation in any of the following cases:



(a) Upon receipt of collected penalties remitted by the Department under Code section 4772 for that Notice of Delinquent Toll Evasion Violation.

(b) If the Notice of Delinquent Toll Evasion Violation was returned to the Processing Agency pursuant to Code section 4774 and five (5) years have elapsed since the date of the Violation.

(c) The Processing Agency receives information that the Penalties have been paid to the Department pursuant to Code section 4772.

#### **Section 14. Confidentiality**

Any information obtained during the enforcement of Violations shall not be used for any purpose other than to pursue the collection of Violations or process Tolls.

#### **Section 15. Other Notices**

Nothing herein shall prohibit Alameda CTC or the Processing Agency from establishing informal methods of notifying Motorists of Violations and from collecting Tolls and Penalties for Violations through such means.

#### **Section 16. Implementation**

Alameda CTC's Executive Director is hereby authorized and directed to develop procedures, forms, documents and directives which may be necessary to implement the terms of this Ordinance, and the Executive Director may delegate such duties and obligations under this Ordinance to staff of, or consultants under contract to, the Alameda CTC.

#### **Section 17. Severability**

If any term, covenant or condition of this Ordinance shall be held by a court of competent jurisdiction to be invalid or unenforceable, then the remainder of this Ordinance shall not be affected and each remaining provision shall be valid and enforceable to the fullest extent permitted by law unless any of the stated purposes of this Ordinance would be defeated.

### **ARTICLE II -PUBLICATION OF ORDINANCE.**

Upon adoption on the second reading hereof, the Clerk of the Commission shall cause the publication of this Ordinance, within fifteen days of its adoption, once each in a newspaper of general circulation printed and published within Alameda County, and the Clerk of the Commission shall attest to such adoption and publication of this Ordinance. This Ordinance shall become effective thirty (30) days after adoption.

PASSED AND ADOPTED by the Commission of the Alameda County Transportation Commission on July 23, 2015 by the following vote:

AYES:

NOES:

EXCUSED:

Date Published: \_\_\_\_\_

Attested to:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of the Commission

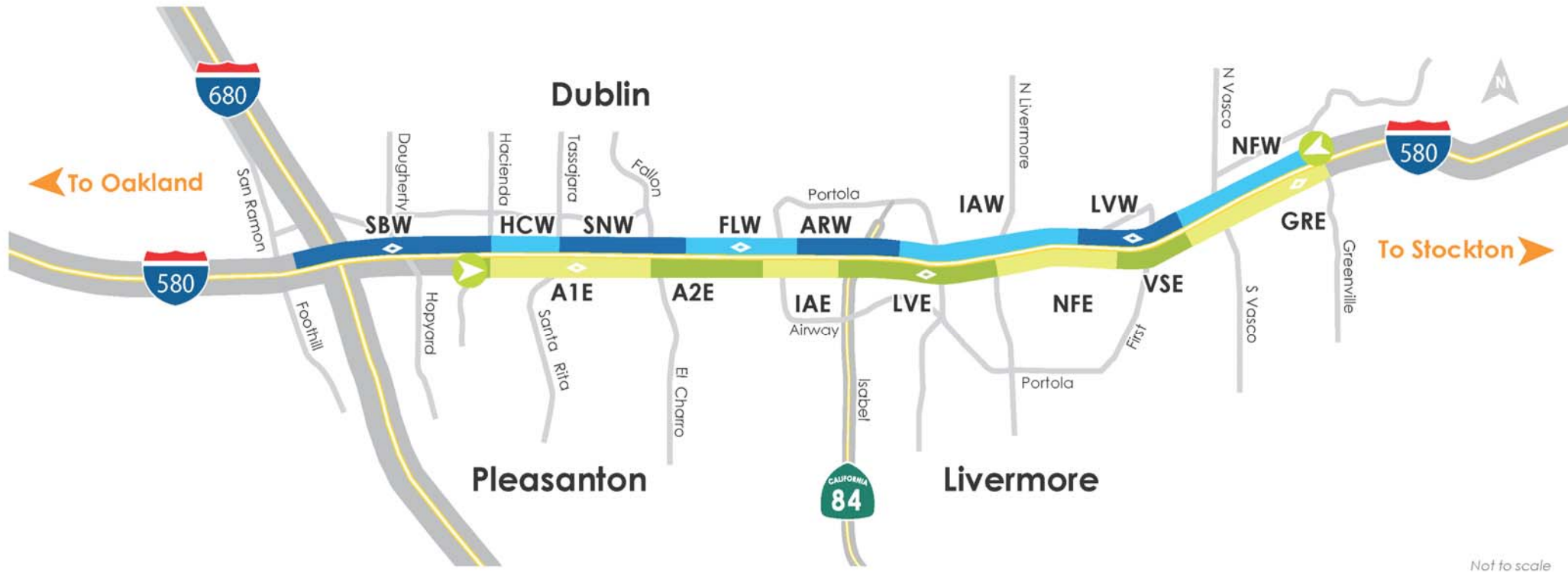
**APPENDIX A**  
**SCHEDULE OF PENALTIES**

(as adopted by the Commission on March 26, 2015)

Toll Evasion Penalty: \$25 (plus original toll)

Delinquent Penalty: \$70 (\$25 Toll Evasion Penalty plus \$45 late fee; plus original toll).  
If toll is paid within 15 days, penalty is reduced to \$25.

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Not to scale



### Two Eastbound Express Lanes

**Lanes begin at Hacienda (11 miles)**



No entry/exit from eastbound express lanes from Hacienda to Fallon/El Charro.

**Please note:** For access to Santa Rita Road or El Charro/Fallon, do not enter express lanes.



### One Westbound Express Lane

**Lane begins at Greenville (14 miles)**



No entry/exit from westbound express lane from Hacienda to end.

**Please note:** For access to I-680 or Dougherty, exit express lane before Hacienda.

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# Memorandum

6.5

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

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

**RECOMMENDATION:** Update on the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments

## 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 June 12, 2017, Alameda CTC reviewed one Draft Environmental Impact Report. Comments were submitted on this document and are included as Attachment A.

**Fiscal Impact:** There is no fiscal impact.

## Attachment

- A. Response to the Draft Environmental Impact Report for the proposed 1300 San Pablo Avenue Outpatient Center Project in Berkeley

## Staff Contacts

[Saravana Suthanthira](#), Principal Transportation Planner

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May 31, 2017

Greg Powell  
Principal Planner  
City of Berkeley Planning and Development Department  
1947 Center Street, 2<sup>nd</sup> Floor  
Berkeley, CA 94704

SUBJECT: Response to the Draft Environmental Impact Report for the Proposed 1300 San Pablo Avenue Outpatient Center Project

Dear Mr. Powell,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the 3100 San Pablo Avenue Outpatient Center Project located in the City of Berkeley. The 4.1-acre project site comprises an entire block bounded by San Pablo Avenue to the east, Folger Avenue to the north, the Emeryville Greenway bicycle path to the west, and 67th Street to the south. The site currently has an existing approximately 405,000 square foot mixed-use commercial and light industrial building known as “Foundry 31” building that covers majority of the site. Portions of the building are also located in the Cities of Oakland and Emeryville, and a memorandum of understanding establishes the City of Berkeley as the lead city for the land use approvals. The project would establish the BayHealth Outpatient Center, a 97,443 square foot medical office use, including outpatient services and an urgent care component. This would involve changing approximately 97,443 square feet of space in the existing building from office space that was part of or ancillary to the former light industrial uses to the proposed Outpatient Center use. The medical facility would be located in the eastern portion of the existing building on portions of the first and second floors, plus all of the third and fourth floors.

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

- The following Metropolitan Transportation Commission designated Metropolitan Transportation System roadways are located in the project area and have been analyzed for the project impacts in the DEIR:
  - Interstate 80/580
  - San Pablo Avenue (SR 123)
  - Ashby Ave (SR 13)
  - Dwight Way
- The Alameda CTC’s Congestion Management Program (CMP) doesn’t establish thresholds of significance for performance analysis of the designated roadways for the purposes of Land Use Analysis Program (LUAP). Please modify the language on pages 92 and 93 of the DEIR to reflect this correctly.

- Page 103, Impact T-3, outlines the findings of segment-level LOS forecasts for 2020 and 2040 for the CMP roadways. The LOS analysis finds that the impacts to the CMP roadway segments analyzed will be less than significant, in line with the thresholds identified in the DEIR.
- Alameda CTC notes that the near term impacts of the project on the intersections of San Pablo Avenue/Dwight Way and San Pablo Avenue/Ashby Avenue would be mitigated with implementing dedicated left turn lanes, for which the project sponsor will pay the fair share cost. However, no feasible geometric or operational improvement measures to mitigate the impacts to the intersection of Ashby Avenue/7<sup>th</sup> Street is available. Similarly, long term impacts to these key intersections are found to be significant and unavoidable. In this regard, a Transportation Demand Management (TDM) Plan is proposed as a Mitigation Measure (MM T-1) anticipated to address some level of project impacts.
- Regarding the intersection of San Pablo Avenue/67<sup>th</sup> Street, signalization of the intersection is proposed as the mitigation measure to address both short and long term impacts. However, since this intersection is located in the City of Oakland, for which the City of Berkeley cannot ensure implementation, the DEIR identifies the impact to be significant and unavoidable. In this regard, Alameda CTC suggests that the DEIR include proposed steps for coordination between the cities to facilitate implementation of the mitigation measure.
- The DEIR states that the project sponsor will prepare a Transportation Demand Management (TDM) Plan for City of Berkeley's review and approval prior to occupancy as Mitigation Measure T-1. Regarding the elements identified for the TDM Plan, the proposed coordination efforts with the Emery Go-Round and West Berkeley shuttle services should also include providing increased shuttle service to the project site. Additionally, another TDM element, parking management strategies referenced on page 98, appears to be missing from the DEIR. Please ensure that it is included and that the strategies are effective.
- Alameda CTC notes that the project impact to transit is found to be less than significant. Alameda CTC recommends improvements to nearby bus and shuttle stop facilities for better and safer access to the project site and to ensure that the bus and shuttle stop locations near the project site are coordinated to avoid any operational conflicts.
- Considering that the facility will be accessed by people using paratransit services, the DEIR should include additional details to ensure better access points for paratransit to the facility.
- Alameda CTC finds that there will be a less than significant impact on pedestrian and cyclist travel as a result of the project. However, the DEIR should include information on more recently adopted local bicycle plans and also refer to the Alameda CTC's Countywide Multimodal Arterial Plan and Bicycle and Pedestrian Plans.

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7426 or Chris Van Alstyne, Assistant Transportation Planner at (510) 208-7479, if you have any questions.

Sincerely,



Saravana Suthanthira  
Principal Transportation Planner

cc: Chris Van Alstyne, Assistant Transportation Planner



# Memorandum

6.6

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** Metropolitan Transportation Commission Bay Area Infrastructure Financing Authority (BAIFA) Update on Express Lanes

**RECOMMENDATION:** Receive an update from the Metropolitan Transportation Commission on the on Bay Area Infrastructure Financing Authority's express lane projects.

## Summary

The Metropolitan Transportation Commission (MTC) and the Bay Area Toll Authority (BATA) formed a joint powers authority to develop and operate MTC Express Lanes. The joint powers authority, known as the Bay Area Infrastructure Financing Authority (BAIFA), is composed primarily of representatives of the three counties where the express lanes are located: Alameda, Contra Costa and Solano. BAIFA is implementation of the MTC Express Lanes as well as policy and operational decisions such as toll rates, project phasing and use of revenue.

MTC plans to operate 270 miles of the 550-mile Bay Area Express Lanes network, converting 150 miles of existing carpool lanes to Express Lanes and adding 120 miles of new lanes. MTC's next projects are I-680 between Walnut Creek and San Ramon, scheduled to open in late summer 2017; I-880 in Alameda County; I-680 between Walnut Creek and Martinez; and I-80 in Solano County. Staff from MTC will present an update on these regionally significant projects.

**Fiscal Impact:** There is no fiscal impact.

## Staff Contact

[Trinity Nguyen](#), Director of Project Delivery

# Bay Area Express Lanes

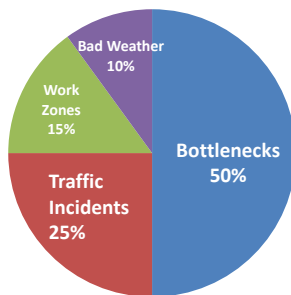
July 10, 2017

ACTC Programs and Projects Committee

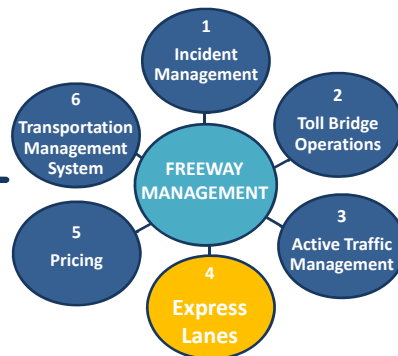
Lisa Klein, Metropolitan Transportation Commission



## Causes of Congestion

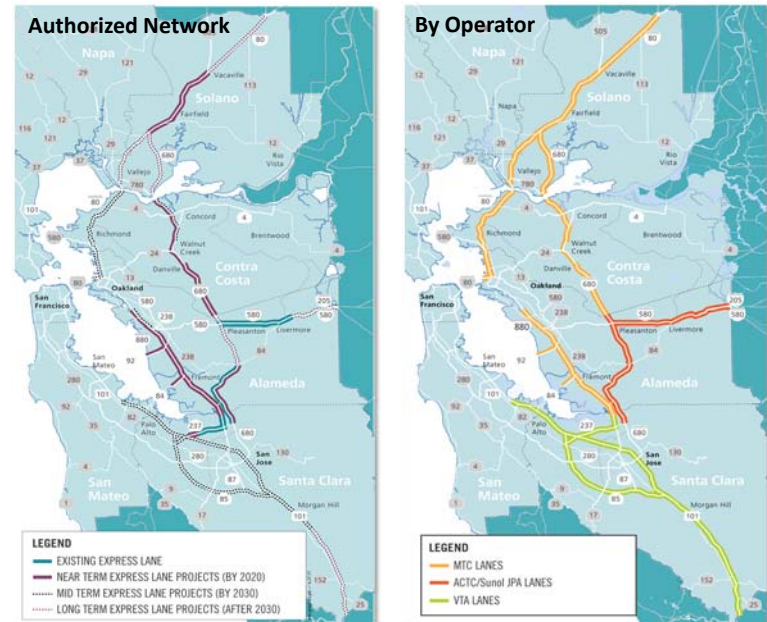


## Toolbox

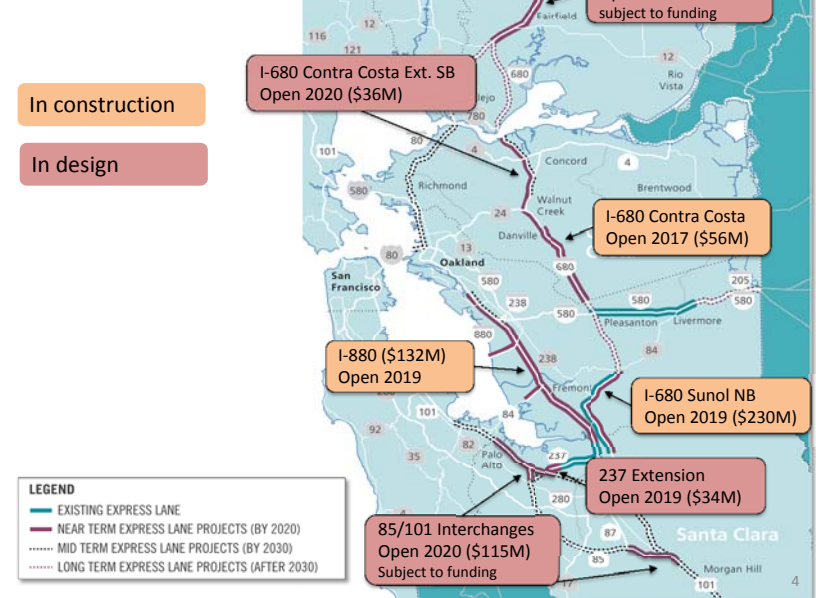


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## Bay Area Express Lanes



## Current Status Of Authorized Lanes





## Bay Area Infrastructure Financing Authority (BAIFA)

- Created by MTC and BATA in 2006 to finance the toll bridge seismic program.
- Amended in 2011 to include implementation, operation and financing of express lanes for MTC.
- Membership can be augmented as the network grows.

### Membership

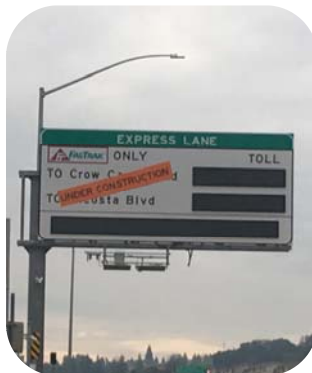
1. MTC Chair
2. BATA Oversight Chair
3. MTC Commissioner from Alameda County
4. MTC Commissioner from Contra Costa County
5. MTC Commissioner from Solano County
6. Cal STA (non-voting)



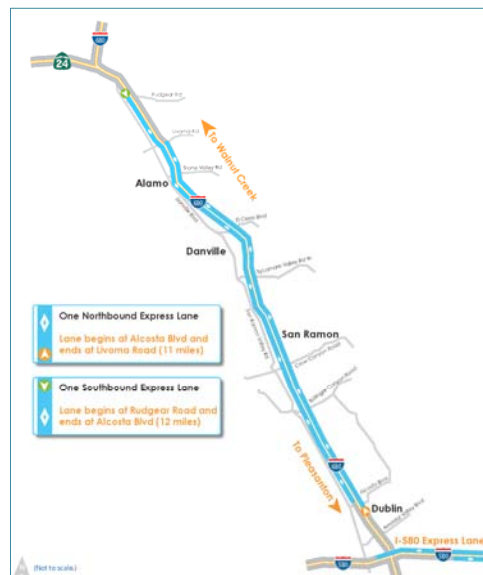
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## I-680 Contra Costa Express Lanes

Coming soon!

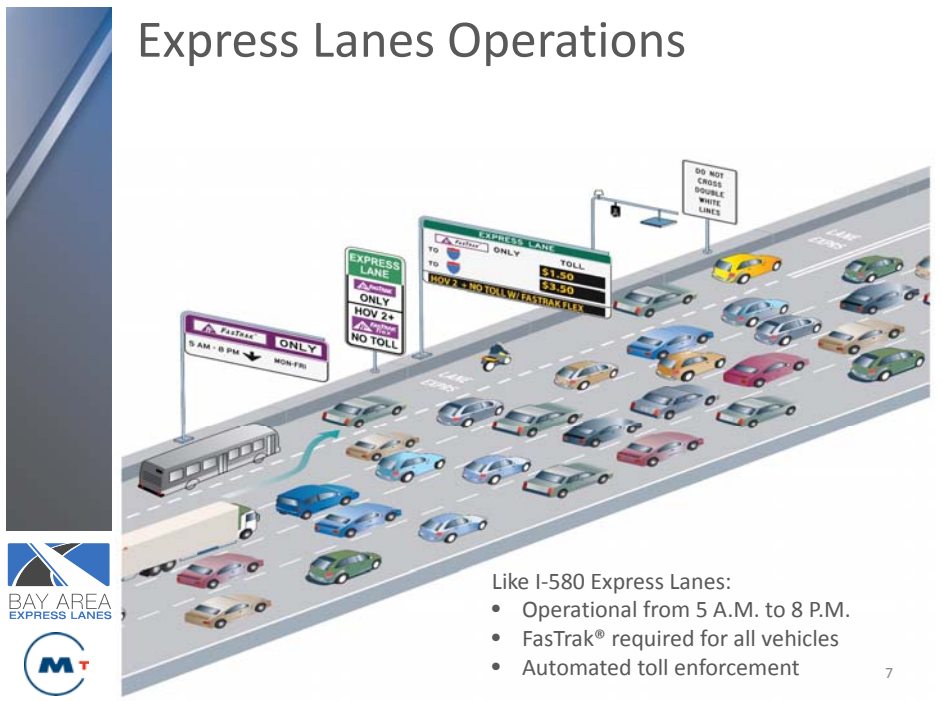


Expresslanes.511.org



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## Express Lanes Operations



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## FasTrak® Required for All Vehicles

Toll-Free Vehicles must use FasTrak Flex® Toll Tag



Solo Drivers may use Standard FasTrak® Toll Tag

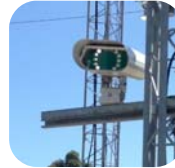
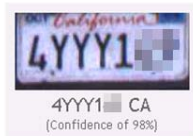


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## Enforcement

BAIFA enforces tolls through the toll system

- FasTrak® and FasTrak Flex®
- License plate recognition system



CHP enforces carpool occupancy

- Increased CHP patrols
- Improved CHP observation areas
- Beacon lights alert CHP to toll tag settings
- Tag look up through web portal



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## I-880 Express Lanes

Open in 2019



[mtc.ca.gov/express-lanes](http://mtc.ca.gov/express-lanes)



## I-880 Today

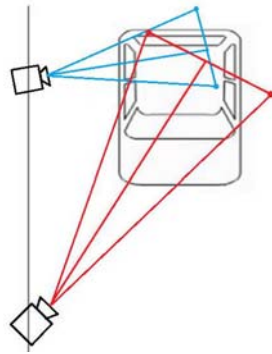


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## Mobility Improvements through Buffers



## Vehicle Occupancy Detection Cameras: A Quickly Evolving Capability



Source: Indra



Source: LA Metro, Conduent



13

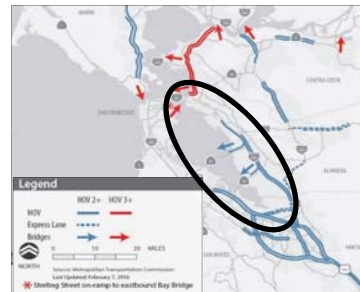
## Carpool Occupancy Requirements

"Ring Around the Bay" & Southern Bridges



### "Very" Degraded Corridors

- Existing SR-237 Express Lane
- Existing I-880 HOV (Express Lane in 2019)
- Existing US 101 HOV (Express Lane in 2021+)



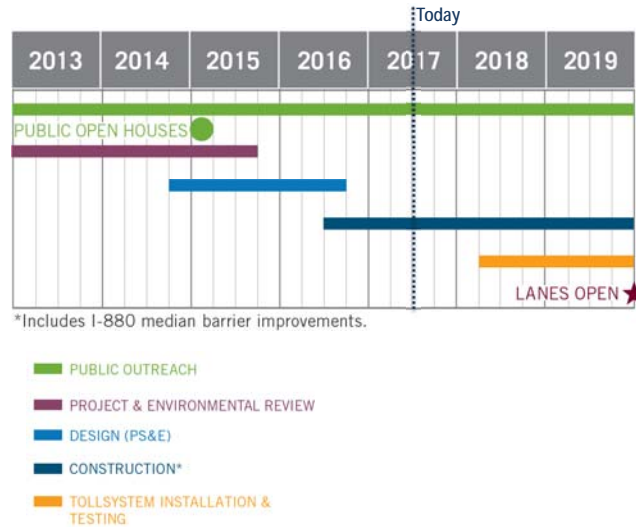
### Candidates for HOV-3

- SR-237 Express Lane
- I-880 Express Lane
- US 101 Express Lane
- Dumbarton Br. HOV/Exp. Lane
- San Mateo Br. HOV/Exp. Lane



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## I-880 Express Lanes Project Schedule



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## Outreach

### To Date

- City Staff/Councils, AC Transit and County – 2<sup>nd</sup> half 2014
- Alameda CTC – Fall 2014
- Public Open Houses – Early 2015
- City/County Staff – 1<sup>st</sup> half 2016

### Future

- Stakeholder notifications prior to construction
- Monthly and as-needed electronic construction updates
- Presentations, as requested
- Customer education



[mtc.ca.gov/express-lanes](http://mtc.ca.gov/express-lanes)

**BAY AREA EXPRESS LANES**

**I-680 Walnut Creek to San Ramon Construction Notice**

**Summary**

In May, nearly all of the overhead toll sign structures will be placed in the corridor, and reconstruction work will continue on the median barriers. Also, electrical work for the communications network will continue on the freeway, and on some city streets. Lane closures will continue as night on I-680 from Martinez to San Ramon.

**Purpose**

With the overhead sign installation nearly complete, restoration work on the median barriers and surrounding areas will occur.

The electrical work for the communications network will provide power to the overhead toll signs.

**What to Expect**

- Intermittent and alternating nightly closures will occur in the northbound and southbound directions on I-680 from Martinez to Dublin in the lanes closest to the median and in the lane closest to the shoulder. Approved construction work hours are: Monday through Thursday from 8 p.m. - 5 a.m., Friday from 8 p.m. - 7 a.m., Saturday from 7 a.m. to 10 a.m.
- To maintain a safe work zone, construction activity on San Ramon Valley Boulevard and Civic Center Road will require lane reductions and reduced speed limits, weekdays from April 4 through June 30, between the hours of 2:30 a.m. and 2:00 p.m.
- Construction crews will be present on some city streets during the day near I-680 from Martinez to Dublin with temporary and minor pedestrian detours to maintain public safety.
- Temporary travel, construction signage and orange plastic fencing will be present from Martinez to Dublin to maintain a safe work zone.
- Construction lighting will be present and directed away from residential areas.

Construction is a dynamic process and information is subject to change without notice. Please use caution while traveling through the construction zone.

**CONTACT US:**  
[info@bayarearegionaltransit.com](mailto:info@bayarearegionaltransit.com)  
[www.bayarearegionaltransit.com](http://www.bayarearegionaltransit.com)  
 (916) 471-5000

Metropolitan Transportation Commission | (916) 471-5700 | [www.mtc.ca.gov](http://www.mtc.ca.gov)

Sample construction notice

16

## Questions?



Lisa Klein  
[lklein@mtc.ca.gov](mailto:lklein@mtc.ca.gov)  
415-778-5232

17



# Memorandum

6.7

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

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

<b>DATE:</b>	July 20, 2017
<b>SUBJECT:</b>	Measure BB Allocation for the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard
<b>RECOMMENDATION:</b>	Allocate \$11.5 million in Measure BB to the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard and expand the procurements for professional services to include subsequent phases.

## Summary

In April 2017, the State passed SB 1 which provides significant funding for transportation needs; and as approved, has no expiration date. With this promise of a steady transportation funding source, and the high emphasis on project readiness, the Alameda CTC capital projects delivery strategy has been refocused to bring projects to design completion rather than only environmental clearance.

Alameda CTC is the project sponsor for the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard projects as detailed in the attached factsheets. Both projects are named capital projects in the 2014 Transportation Expenditure Plan (TEP) and Measure BB funds have been earmarked for the delivery of the projects. A total of \$5.6 million has been allocated as detailed in Table A (Measure BB Project Allocation Summary) and the request for proposals have been released for the approved phases. In light of the need to expedite delivery, it is desired to include services for the subsequent phase into the current solicitation to allow for concurrent phase implementation. This approach is expected to advance the project construction readiness between six months to a year and also reduce costs through gained efficiencies.

Staff recommends the allocation of \$11.5 million in Measure BB, for the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard projects and to include professional services for subsequent phases in the current request for proposals. Subject to this approval, staff anticipates returning in September 2017 with award recommendations. Approved allocations will be reflected in the 2018 Comprehensive Investment Plan (CIP) Update.

## Background

In April 2017, the state passed SB 1 which provides significant funding for transportation projects and as approved has no expiration date. With this promise of a steady transportation funding source, the Alameda CTC capital projects delivery strategy has been refocused to bring projects to design completion rather than only environmental clearance.

The standard approach to project delivery is to deliver phases in series and only start a subsequent phase once the prior phase has been fully completed. This is a conservative approach and allows for clear scope definition and a high level of confidence for project budgeting purposes. This process is highly recommended when a project may have many alternatives, high risk factors, and the funding capacity is set with little to no tolerance. Projects that have limited alternatives, low risk factors, and funding with low to no process constraints, have opportunities to advance delivery by implementing phases concurrently as project scope components are confirmed.

Alameda CTC is the project sponsor for the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard as detailed in the attached factsheets. During the process of initial scoping and risk management, it was identified that due to the limited project design alternatives and limited technical risk factors, concurrent phasing could be applied to the projects. This approach is expected to advance the project construction readiness between six months to a year and also reduce costs through gained efficiencies. Specifically, concurrent phasing allows for:

- Advancing work by scope components to improve efficiencies
- Removing the need for additional procurements
- Reducing review cycles
- Avoiding rework

Both the I-80/Ashby Avenue (SR-13) Interchange Improvement and the I-680 Express Lanes from SR 84 to Alcosta Boulevard are named capital projects in the 2014 Transportation Expenditure Plan and Measure BB funds have been earmarked for the delivery of the projects. Currently, the Commission has allocated a total of \$5.6 million in Measure BB to the two projects as shown in Table A (Measure BB Project Allocation Summary).

Alameda CTC is in the process of procuring professional services contracts to support the delivery of these projects for the allocated phases. To expedite the delivery of the projects and improve the competitive readiness of the projects for SB1 funding, it is recommended that additional allocations in the amount of \$11.5 million of Measure BB be made. Upon approval of the allocations, the additional phase scope will be incorporated into the project solicitations. Subject to this approval, staff anticipates returning in September 2017 with award recommendations. Approved allocations will be reflected in the 2018 Comprehensive Investment Plan (CIP) Update.

**Table A: Measure BB Project Allocation Summary**

Project	Phase	Phase Budget	Allocation Status
I-80/Ashby Avenue (SR-13) Interchange (APN 1445.000)  TEP 30	Scoping / Environmental	\$4.1 million	Allocated
	Design	<b>\$5.5 million</b>	<b>Request</b>
I-680 Express Lanes from SR-84 to Alcosta Boulevard (APN 1468.022)  TEP 35	Scoping	\$1.5 million	Allocated
	Environmental	<b>\$6.0 million</b>	<b>Request</b>

**Fiscal Impact:** Approval of the recommended action will allocate \$11.5 million of Measure BB funds for subsequent encumbrance and expenditure.

**Attachments:**

- A. I-80/Ashby Avenue (SR-13) Interchange Improvements Project Fact Sheet
- B. I-680 Express Lanes from SR 84 to Alcosta Boulevard Project Fact Sheet

**Staff Contact**

[Trinity Nguyen](#), Director of Project Delivery

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# Interstate 80/Ashby Avenue (SR-13) Interchange Improvements

JUNE 2017

## PROJECT OVERVIEW

The Alameda County Transportation Commission (Alameda CTC), in cooperation with the California Department of Transportation (Caltrans) and the cities of Berkeley and Emeryville, proposes to reconstruct the Ashby Avenue interchange, which is bordered by Frontage Road and San Francisco Bay to the west, an industrial/commercial/residential section of Emeryville to the southeast and Berkeley's Aquatic Park to the northeast. Construction on this project to provide a direct connection between westbound Interstate 80 (I-80) and Emeryville by way of Shellmound Street will include:

- A new bridge to replace existing bridges
- A roundabout interchange
- Provision of bicycle and pedestrian access over the I-80 freeway at the Ashby Avenue-Shellmound Street interchange

## PROJECT NEED

- The existing I-80/Ashby-Shellmound interchange does not provide access to or from westbound I-80 and Shellmound Street in the City of Emeryville.
- All westbound traffic to access Emeryville must use the Powell Street interchange.



## PROJECT BENEFITS

- Improves mobility and reduces congestion on Ashby Avenue at the I-80/Powell Street interchange and at the intersection of Ashby Avenue and 7th Street
- Provides safe access for pedestrians and bicyclists to connect across I-80, linking the San Francisco Bay Trail to the City of Emeryville and Berkeley's Aquatic Park



I-80/Ashby Avenue interchange from Google Maps.



I-80 freeway looking south approaching the Ashby Avenue exit.



I-80 eastbound Eastshore Freeway approach at the Ashby Avenue exit.

## COST ESTIMATE BY PHASE (\$ X 1,000)

PE/Environmental	\$ 4,000
Final Design (PS&E)	\$ 5,500
Right-of-Way/Utility	\$ 1,500
Construction	\$ 41,000
<b>Total Expenditures</b>	<b>\$ 52,000</b>

## FUNDING SOURCES (\$ X 1,000)

Measure BB	\$ 23,000
Federal	\$ TBD
State	\$ TBD
Local	\$ TBD
TBD	\$ 28,700
<b>Total Revenues</b>	<b>\$ 52,000</b>

## STATUS

**Implementing Agency:** Alameda CTC

**Current Phase:** Environmental

- A scoping/feasibility study was completed by the City of Emeryville.
- A request for proposals (RFP) for Project Approval and Environmental Document/Plans, Specifications and Estimates (PA&ED/PSE) is anticipated for release in fall 2017.

## PARTNERS AND STAKEHOLDERS

Caltrans, Alameda CTC and the cities of Berkeley and Emeryville

Note: Information on this fact sheet is subject to periodic updates.

## SCHEDULE BY PHASE

	Begin	End
Preliminary Engineering/Environmental	Fall 2017	Fall 2019
Final Design	Spring 2019	Winter 2020
Right-of-Way	Spring 2019	Winter 2020
Construction	Summer 2021	Winter 2024

Note: Schedule subject to funding availability.



# I-680 Express Lanes from SR-84 to Alcosta Boulevard

JUNE 2017

## PROJECT OVERVIEW

The Interstate 680 (I-680) Express Lanes from State Route (SR) 84 to Alcosta Boulevard Project, which passes through the community of Sunol and the cities of Dublin and Pleasanton, proposes to construct a 10-mile segment to complete the Express Lane Network through Alameda County.

The Alameda County Transportation Commission (Alameda CTC) has begun initial project scoping and seeks to obtain environmental clearance for the project to enable the project to pursue funding for subsequent phases as part of the project delivery. It is anticipated that the project will be delivered in phases:

**Phase 1** will construct southbound high-occupancy vehicle (HOV)/express lanes on I-680 from Alcosta to north of Koopman Road.

**Phase 2** will construct northbound (NB) HOV/express lanes on I-680 from SR-84 to Alcosta Boulevard.

Concurrent projects in the area include:

- [SR 84 Widening \(Pigeon Pass to I-680\) and SR 84/I-680 Interchange Improvements](#)
- [I-680 Sunol Express Lanes \(Phase 1\)](#)

## PROJECT NEED

- Planned and existing express lanes from SR-84 to SR-237 and from Alcosta Boulevard to Walnut Creek will leave a 10-mile gap in the express lane network between SR-84 and Alcosta Boulevard.
- Heavy commute traffic from the Central Valley to Silicon Valley, especially in the morning peak period, results in gridlock conditions that last several hours.



## PROJECT BENEFITS

- Increases the efficiency of the transportation system on NB I-680 between SR-237 and SR-84 to accommodate current and future traffic demand
- Improves travel time and travel reliability for all users, including HOV and transit users
- Optimizes freeway system management and traffic operations



I-680 northbound approaching the Calaveras Road off-ramp.



I-680 northbound approaching the SR-84 off-ramp in Sunol.

COST ESTIMATE BY PHASE (\$ x 1,000)

	Phase 1	Phase 2
Planning/Scoping	\$1,000 <sup>1</sup>	See footnote
PE/Environmental	\$6,500 <sup>1</sup>	See footnote
Final Design (PS&E)	\$15,000	\$12,000
Right-of-Way	\$6,500	\$4,000
Construction	\$241,000 <sup>1</sup>	\$194,000
Total Expenditures	\$270,000	\$210,000

<sup>1</sup> Combined cost estimate for Phase 1 and Phase 2; construction cost estimate for Phase 1 assumes cost of some infrastructure scope elements to accommodate Phase 2 implementation. Construction estimate is projected to the mid-year of construction — 2024.

FUNDING SOURCES (\$ x 1,000)

	Phase 1	Phase 2
Measure BB	\$20,000	TBD
Federal	TBD	TBD
State	TBD	TBD
Local	TBD	TBD
TBD	\$250,000	\$210,000
Total Revenues	\$270,000	\$210,000

STATUS

Implementing Agency: Alameda CTC

Current Phase: Scoping — Project Study Report-Project Delivery Support (PSR-PDS)

PARTNERS AND STAKEHOLDERS

California Department of Transportation, Alameda CTC, the Federal Highway Administration, community of Sunol and cities of Dublin and Pleasanton

Note: Information on this fact sheet is subject to periodic updates.

SCHEDULE BY PHASE

	Begin	End
Scoping (PSR-PDS)	Fall 2017	Summer 2018
Preliminary Engineering/ Environmental	Fall 2017	Fall 2020
Final Design	Spring 2020	Summer 2023
Right-of-Way	Spring 2020	Summer 2023
Construction	Fall 2022	Fall 2026

Note: The schedule is contingent upon funding availability. The schedule for Phase 2 is to be determined.





# Memorandum

6.8

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** Approval of Administrative Amendments to Various Project Agreements (A10-0008, A11-0024, A10-0027)

**RECOMMENDATION:** Approve Administrative Amendment to Various Project Agreements (A10-0008, A11-0024, A10-0027) in support of the Alameda CTC's Capital Projects and Program delivery commitments.

## Summary

Alameda CTC enters into agreements/contracts with consultants and local, regional, state, and federal entities, as required, to provide the services, or to reimburse project expenditures incurred by project sponsors, necessary to meet the Capital Projects and Program delivery commitments. Agreements are entered into based upon estimated known project needs for scope, cost and schedule.

The administrative amendment request shown in Table A have been reviewed and it has been determined that the request will not compromise project deliverables.

Staff recommends the Commission approve and authorize the administrative amendment request as listed in Table A attached.

## Background

Amendments are considered "administrative" if they do not result in an increase to the existing encumbrance authority approved for use by a specific entity for a specific project. Examples of administrative amendments include time extensions and project task/phase budget realignments which do not require additional commitment beyond the total amount currently encumbered in the agreement, or beyond the cumulative total amount encumbered in multiple agreements (for cases involving multiple agreements for a given project or program).

Agreements are entered into based upon estimated known project needs for scope, cost, and schedule. Throughout the life of a project, situations may arise that warrant the need for a time extension or a realignment of project phase/task budgets.

The most common justifications for a time extension include (1) project delays; and (2) extended project closeout activities.

The most common justifications for project task/phase budget realignments include 1) movement of funds to comply with timely use of funds provisions; 2) addition of newly obtained project funding; and 3) shifting unused phase balances to other phases for the same project.

Requests are evaluated to ensure that project deliverables are not compromised. The administrative amendment requests identified in Table A have been evaluated and are recommended for approval.

**Levine Act Statement:** No firms reported a conflict in accordance with the Levine Act.

**Fiscal Impact:** There is no fiscal impact.

### **Attachments**

A. Table A: Administrative Amendment Summary

### **Staff Contact**

[Trinity Nguyen](#), Director of Project Delivery

[Angelina Leong](#), Assistant Transportation Engineer

Table A: Administrative Amendment Summary

Index No.	Firm/Agency	Project/Services	Agreement No.	Contract Amendment History and Requests	Reason Code	Fiscal Impact
1	S&C Engineers, Inc.	I-80 Integrated Corridor Mobility (ICM) Project – Construction Management Services	A10-0008	A1: 1-year time extension from 12/31/2013 to 12/31/2014 A2: 1-year time extension from 12/31/2014 to 12/31/2015 A3: Budget increase and 6-month time extension from 12/31/2015 to 6/30/2016 A4: Budget increase and 1-year time extension from 6/30/2016 to 6/30/2017 A5: 6-month time extension from 6/30/2017 to 12/31/2017 ( <i>current request</i> )	2	None
2	URS Corporation	I-580 Westbound Express (HOT) Lane Project – Project Approval and Environmental Clearance, Final Design, and Design Support During Construction Services	A11-0024	A1: 3-month time extension from 12/31/2012 to 3/31/2013 A2: Scope addition, budget increase and 33-month time extension from 3/31/2013 to 12/31/2015 A3: Budget increase and 6-month time extension from 12/31/2015 to 6/30/2016 A4: Budget increase and 1-year time extension from 6/30/2016 to 6/30/2017 A5: 6-month time extension from 6/30/2017 to 12/31/2017 ( <i>current request</i> )	2	None
3	BART	BART Warm Springs Extension	A10-0027	A1: Phase reallocation A2: Budget decrease and 1-year time extension from 12/31/2015 to 12/31/2016 A3: 6-month time extension from 12/31/2016 to 6/30/2017 A4: 12-month time extension from 6/30/2017 to 6/30/2018 ( <i>current request</i> )	2	None

- (1) Project delays.
- (2) Extended project closeout activities.
- (3) Movement of funds to comply with timely use of funds provisions.
- (4) Addition of newly obtained project funding.
- (5) Unused phase balances to other project phase(s).

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# Independent Watchdog Committee Meeting Minutes Monday, March 13, 2017, 5:30 p.m.

7.2

1111 Broadway, Suite 800, Oakland, CA 94607

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www.AlamedaCTC.org

## Special Annual Compliance Review

### 1. Measure B and Measure BB Audit Report and Program Compliance Report Review Orientation Workshop

The Independent Watchdog Committee (IWC) members received an orientation on the compliance report review process from staff. Members agreed to review the audited financial statements and compliance reports in further detail on their own and submit comments to Alameda CTC via email by Friday, March 31, 2017.

### 2. Measure B and Measure BB FY2015-16 Audit Report and Program Compliance Report Review

Staff reviewed a sample audited financial statement and compliance report with the IWC. This review served as a training tool for new members and was a refresher for existing members.

## Regular Meeting Minutes

### 1. Welcome and Call to Order

Independent Watchdog Committee (IWC) Chair Murphy McCalley called the meeting to order. A roll call was conducted and all members were present with the exception of Cheryl Brown, Cynthia Dorsey, Brian Lester, Harriette Saunders and Robert Tucknott.

#### Subsequent to the roll call:

Robert Tucknott arrived during agenda item 4.

### 2. Public Comment

There were no public comments.

### 3. Approval of January 9, 2017 IWC Meeting Minutes

*Herb Hastings moved to approve this item. JoAnn Lew seconded the motion. The motion passed with the following votes:*

Yes: Buckley, Dominguez, Hastings, Jones, Lew, McCalley, Nate, Piras, Zukas

No: None

Abstain: None

Absent: Brown, Dorsey, Lester, Saunders, Tucknott

#### **4. Establishment of IWC Annual Report Ad Hoc Subcommittee**

Murphy McCalley asked for volunteers to serve on the Annual Report Ad Hoc Subcommittee. Murphy McCalley, Pat Piras and Hale Zukas volunteered to serve on the committee.

Patricia Reavey provided a list of proposed dates for the first subcommittee meeting. The volunteers selected Wednesday, March 22, 2017 from 3 to 5 p.m. Patricia requested Angie Ayers to contact IWC members that were absent to determine if they are interested in serving on the Annual Report Ad Hoc Subcommittee.

#### **5. Projects and Programs Watchlist**

Patricia Reavey informed the committee that the watch list is an opportunity for the members to watch projects and programs of interest to them. She noted that annually, a letter is sent to project sponsors requesting that they notify the IWC members that signed up to watch projects and programs in their city of any upcoming meetings for the projects/programs. Patricia requested members to review the projects and programs list and return the list with their choices to Angie Ayers after the meeting or via email.

Hale Zukas asked the committee how many of them have communicated with sponsors. A few of the members stated that they've been contacted by project sponsors. Patricia requested the committee members notify Alameda CTC staff if they've signed up for a projects/programs and are not being contacted by the project sponsors in relation to meetings so that staff can follow up with the project sponsors. Tess Lengyel noted that project sponsors will contact members of the committee if they have a public meeting.

#### **6. IWC Member Reports/Issues Identification**

##### **6.1. Chair's Report**

Murphy McCalley did not have new items to report.

##### **6.2. IWC Issues Identification Process and Form**

Murphy McCalley informed the committee that this is a standing item to keep members informed of the process of submitting issues/concerns that they want to have come before the committee.

Pat Piras stated that she submitted an issues form on the Affordable Student Transit Pass Program (ASTPP) at the July 2016 meeting. She noted that a verbal report was given at the November 2016 meeting and she requested a written response regarding ASTPP funds being used to fund crossing guards. Tess Lengyel stated that ASTPP is a \$15 million program approved by the voters and Alameda CTC launched the pilot programs in August 2016 in every area of Alameda County. She stated that in some areas there is a potential need for crossing guards and the Commission approved funding for this. Tess stated that there has been no action on any expenditures that the committee reviews and she noted that ASTPP funds have not been spent on crossing guards. She stated that for year two of the program staff recommended that the Commission approve expanding the number of schools in ASTPP from 9 to 15. Tess informed the committee that

Alameda CTC is looking at funding crossing guards through the Safe Routes to Schools Programs.

Robert Tucknott asked if crossing guards is a part of Measure B/Measure BB Transportation Expenditure Plans (TEP). Tess clarified the areas of the 2014 TEP that refer to crossing guards.

Steve Jones asked what the schools in the ASTPP pilot programs are. Tess responded that the schools are:

- Hayward Unified School District – two schools testing free and reduced
- Livermore Unified School District – one school testing the ECO Pass
- New Haven Unified School District – two schools testing free and reduced
- Oakland Unified School District – five schools testing free and universal programs with AC Transit Clipper cards
- San Leandro Unified School District – two schools testing free and universal programs with AC Transit Clipper cards

Robert Tucknott asked if the School Boards will take care of the expenditure of the ASTPP. Tess responded that the ASTPP is a pilot program and Alameda CTC will determine funding needs after the pilot horizon.

Hale Zukas asked what the ECO Pass encompasses and why it is cheap. Tess responded that the ECO Pass is a Clipper card product and it is used in four schools in the Livermore school district. Tess provided examples and an explanation as to why the ECO Pass is a cost effective option for the program.

*Pat Piras requested that the information be summarized in writing and made available to the committee before the next meeting.*

*Pat Piras moved to approve this item. Hale Zukas seconded the motion. The motion passed with the following votes:*

Yes: Buckley, Dominguez, Hastings, Jones, McCalley, Nate, Piras, Zukas

No: Lew

Abstain: Tucknott

Absent: Brown, Dorsey, Lester, Saunders

## **7. Staff Reports**

### **7.1. IWC Calendar**

The committee calendar/work plan is provided in the agenda packet for review purposes. Patricia reminded the committee that a committee photo will be taken at the July 10th meeting for the IWC Annual Report.

Tess Lengyel informed the committee that the BART to Warm Springs station will be opened for service on March 25, 2017 and a celebratory event will be held on March 24th. She noted that this is a Measure B project.

### **7.2. IWC Roster**

The committee roster is provided in the agenda packet for review purposes.

### **8. Adjournment**

The meeting adjourned at 6:50 p.m. The next meeting is scheduled for July 10, 2017 at the Alameda CTC offices.

## INDEPENDENT WATCHDOG COMMITTEE

### March 13, 2017

### ROSTER OF MEETING ATTENDANCE

Present	IWC Member	Appointed By
A	Brown, Cheryl (waive)	Alameda Labor Council AFL-CIO
P	Buckley, Curtis	Bike East Bay
P	Dominguez, Oscar	East Bay Economic Development Alliance
A	Dorsey, Cynthia	Alameda County Mayors' Conference, District 5
P	Hastings, Herb, <b>Vice Chair</b>	Paratransit Advisory and Planning Committee
A	Jones, Steven	Alameda County Mayors' Conference, District 1
A	Lester, Brian	Alameda County, District 1 Supervisor Scott Haggerty
P	Lew, Jo Ann	Alameda County Mayors' Conference, District 2
P	McCalley, Murphy, <b>Chair</b>	Alameda County, District 4 Supervisor Nate Miley
P	Nate, Glenn	Alameda County, District 2 Supervisor Richard Valle
P	Piras, Pat (waive)	Sierra Club
	Saunders, Harriette	Alameda County Mayors' Conference, District 3
P	Tucknott, Robert	Alameda County Mayors' Conference, District 4
P	Zukas, Hale	Alameda County, District 5 Supervisor Keith Carson

### STAFF

Present	Staff/Consultants	Title
P	Tess Lengyel	Deputy Executive Director of Planning and Policy
P	Patricia Reavey	Deputy Executive Director of Finance
P	John Nguyen	Senior Transportation Planner
	Trinity Nguyen	Senior Transportation Engineer
	Tamara Halbritter	Senior Project Manager, Consultant
	Angie Ayers	Public Meeting Coordinator, Consultant

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**Alameda County Transportation Commission**  
**Independent Watchdog Committee**  
**Roster - Fiscal Year 2017-2018**

	Title	Last	First	City	Appointed By	Term Began	Re-apptmt.	Term Expires	Mtgs Missed Since July '17
1	Mr.	McCalley, Chair	Murphy	Castro Valley	Alameda County Supervisor Nate Miley, D-4	Feb-15	Mar-17	Mar-19	0
2	Mr.	Hastings, Vice Chair	Herb	Dublin	Paratransit Advisory and Planning Committee	Jul-14		N/A	0
3	Mr.	Brown	Keith	Oakland	Alameda Labor Council (AFL-CIO)	Apr-17		N/A	0
4	Mr.	Buckley	Curtis	Berkeley	Bike East Bay	Oct-16		N/A	0
5	Mr.	Dominguez	Oscar	Oakland	East Bay Economic Development Alliance	Dec-15		N/A	0
6	Ms.	Dorsey	Cynthia	Oakland	Alameda County Mayors' Conference, D-5	Jan-14	Jan-16	Jan-18	0
7	Mr.	Jones	Steven	Dublin	Alameda County Mayors' Conference, D-1	Dec-12	Jan-17	Jan-19	0
8	Mr.	Lester	Brian	Pleasanton	Alameda County Supervisor Scott Haggerty, D-1	Sep-13	Jan-16	Jan-18	1
9	Ms.	Lew	Jo Ann	Union City	Alameda County Mayors' Conference, D-2	Oct-07	Dec-15	Dec-17	0
10	Mr.	Naté	Glenn	Union City	Alameda County Supervisor Richard Valle, D-2	Jan-15	Mar-17	Mar-19	1
11	Ms.	Piras	Pat	San Lorenzo	Sierra Club	Jan-15		N/A	0
12	Ms.	Saunders	Harriette	Alameda	Alameda County Mayors' Conference, D-3	Jul-09	Jul-16	Jul-18	1
13	Mr.	Tucknott	Robert A.	Pleasanton	Alameda County Mayors' Conference, D-4	Jun-14	Jul-16	Jul-18	0
14	Mr.	Zukas	Hale	Berkeley	Alameda County Supervisor Keith Carson, D-5	Jun-09	Jun-16	Jun-18	1
15		Vacancy			Alameda County Supervisor Wilma Chan, D-3				

Alameda County Transportation Commission  
Independent Watchdog Committee  
Roster - Fiscal Year 2017-2018

16		Vacancy			Alameda County Taxpayers Association				
17		Vacancy			League of Women Voters				





# Memorandum

8.1

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**DATE:** July 20, 2017

**SUBJECT:** July Legislative Update

**RECOMMENDATION:** Receive an update on federal, state, and local legislative activities and state legislation.

## Summary

The July 2017 legislative update provides information on federal legislative activities and the federal budget, an update on the state budget and transportation funding, and information on state legislation.

## Background

The Commission approved the 2017 Legislative Program in December 2016. The final 2017 Legislative Program is divided into six sections: Transportation Funding, Project Delivery, Multimodal Transportation and Land Use, Climate Change, Goods Movement, and Partnerships (Attachment A). 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 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.

## State Update

Platinum Advisors, Alameda CTC's state lobbying firm, provided the following updates on the state budget and transportation funding.

## Budget

Governor Jerry Brown and legislative leadership announced a budget deal on June 14th. There were not many surprises that emerged from the deal adopted by the Budget Conference Committee or in the majority of budget trailer bills.

## ***Transportation Funding***

The approved budget includes the funding proposed in the Governor's May Revise for SB 1 programs.

- **State Transit Assistance (STA):** STA allocations are increased by \$305 million, for a total 2017-18 STA allocation of \$694 million. This amount includes the SB 1 increase of \$305 million, \$294 million in base STA formula allocations, \$75 million cap & trade auction revenue for the Low Carbon Transit Operations Program, and a lingering \$25 million in Prop 1B funds that remains available for transit operators.
- **Active Transportation Program (ATP):** \$100 million will be available for ATP projects in 2017-18.
- **Transit & Intercity Rail Capital Program:** An additional \$330 million is available for this program in 2017-18, which includes \$85 million loan repayment funds. This would be in addition to the anticipated \$150 million in cap & trade auction revenue.
- **Intercity & Commuter Rail Program:** \$25 million will be allocated by the California State Transportation Agency (CalSTA) to intercity and commuter rail operators in 2017-18.
- **Local Partnership Program:** \$200 million is available for the Local Partnership Program, which would be used to match local transportation sales tax revenue and voter-approved developer fees.
- **Congested Corridors Program:** \$250 million is appropriated to the Congested Corridors Program.
- **Trade Corridor Enhancement Program:** \$200 million for projects improving major trade corridors will be available in 2017-18.
- **Local Streets & Roads Funds:** \$445 million in new SB 1 revenue is expected to be allocated to cities and counties for local street and road maintenance projects.

**Cap & Trade:** The budget does not contain the Administration's proposed extension of the Cap & Trade program. The budget only appropriates cap & trade money sufficient to fund support staff costs. Adoption of an expenditure plan will be tied to an extension vote that will not occur until the end of session.

## ***SB 1 Implementation Workshops***

The California Transportation Commission (CTC) held a two-day session at the beginning of June to kick-off the guideline development process. This initial meeting allowed the Commission to outline its role and to gather comments on issues that should be addressed during the workshop process. Since there are numerous funding programs the CTC will administer, the CTC has scheduled the workshops for specific programs consecutively on the

same day to make it easier to attend and participate in these workshops. Anyone can sign-up to receive notices for any SB 1 program at:

[http://catc.ca.gov/programs/SB\\_1/Workgroup\\_sign-up\\_form.pdf](http://catc.ca.gov/programs/SB_1/Workgroup_sign-up_form.pdf).

There are several programs the CTC is developing guidelines for and the schedule for development can be found here:

[http://www.catc.ca.gov/programs/SB\\_1/SB\\_1\\_Programs\\_Implementation\\_Schedule\\_070617.pdf](http://www.catc.ca.gov/programs/SB_1/SB_1_Programs_Implementation_Schedule_070617.pdf)

From June through December 2017, CTC is hosting 14 workshops on the various funding programs. Alameda CTC is actively participating in the workshops and where applicable providing comments on program guideline development as well as sharing some of our planning work to help inform the development of the guidelines. Alameda CTC is also developing our strategic approach to pursuing SB1 funds when the calls for projects become available.

Alameda CTC has sent out several notices to ACTAC members to inform them about the SB1 workshops, how to sign up and participate in them and when the guidelines are expected to be adopted.

These programs include:

- Local Streets and Roads. Cities and counties will receive \$1.5 billion annually for local streets and road maintenance projects, and Caltrans will receive \$1.5 billion annually for the state highway maintenance. Half of the city and county share is allocated to cities on a per capita basis. The county share is allocated to each county based on road miles and vehicles registration.
- State and Local Partnership Program. This program is funded with \$200 million annually from the Road Maintenance and Rehabilitation Program funds. These funds are set aside to match voter approved taxes or developer fees dedicated to transportation improvements. This program would be implemented pursuant to guidelines developed and adopted by the CTC in consultation with Caltrans, transportation planning agencies, and other local agencies.
- Trade Corridors Enhancement Account. SB 1 directs half of the 20 cent diesel excise tax revenue to this program funded at \$300 million annually.
- Congested Commute Corridors. This program is funded at \$250 million annually from the Transportation Improvement Fee revenue. These funds would be used to fund multi-modal improvements to ease congestion within the most congested corridors. The CTC would award these funds to projects nominated by the state, regional transportation planning agencies and transportation commissions.

- Active Transportation Program. This program is expected to receive \$100 million annually. The funding for FY 17-18 will be for the first augmentation of funds and priority will be given to projects submitted in the Cycle 3 ATP program that were not funded. Cycle 4 ATP is expected in spring 2018. See Attachment B for the projects in Alameda County that were submitted and funded, as well as those that were not funded.
- State Highway Operations and Protection Program (SHOPP). This is a state program to fund maintenance and operations of the state highway system. Alameda CTC has been successful in coordinating with Caltrans on the timing of SHOPP investments in Alameda County and delivery of our projects on the state highway system to ensure projects are delivered in sync.
- State Transportation Improvement Program (STIP). CTC will develop a fund estimate which is a biennial estimate of available revenue for state infrastructure over the next five years. The 2018 fund estimate period covers state fiscal years 2018-19 through 2022-23.

In addition, the CalSTA scheduled two workshops to update the guidelines for transit funding programs. These included updating the Transit and Intercity Rail Program guidelines, the Low Carbon and Transit Operations Program, and the SB 1 funds allocated to the State Transit Assistance program. The first hearing was held on Monday, June 26 in Los Angeles, and in Sacramento on June 27th from 1:00-2:00 p.m. at the Caltrans Headquarters. Information on the guidelines can be found here: <http://calsta.ca.gov/wp-content/uploads/sites/12/2017/06/Transit-Program-Implementation-Powerpoint-June-2017.pdf>

### **Regional Measure 3**

Alameda CTC has been engaged in development of Regional Measure 3 (RM3) since fall 2016 . If voters pass RM3, a bridge toll increase would fund congestion-relief projects and improve mobility in the bridge corridors. Alameda CTC adopted a list of candidate projects in January 2017 and submitted them to MTC and the Alameda CTC legislative delegation members on many occasions.

In April 2017, SB 595 (Beall) was introduced as the placeholder bill for Regional Measure 3. The bill reserved for future discussions the important policy questions such as toll increase amount, projects to be funded, and election date. The Senate passed the bill on May 31,

SB 595 was amended on July 3<sup>rd</sup> to include (in summary):

- o Counties are required to place a measure on the ballot; the Bay Area Toll Authority (BATA) will reimburse counties

- BATA selects the amount of the proposed increase, not to exceed \$3 and phased in over time (it can be adjusted to inflation thereafter once the full amount has been phased in)
- Projects will be identified in an expenditure plan
- BATA to establish an independent oversight committee
  - 18 members: 2 from each county selected by the Board of Supervisors; they serve a max of two, four-year terms
  - Their role is to ensure the expenditure plan is adhered to and to submit an annual report to the legislature
- Projects in an expenditure plan have been determined to reduce congestion or make travel improvements in bridge corridors
- An Inspector General would conduct audits and investigations of activities involving any toll revenues generated
- A percentage of operating funds will be specified, but is currently left blank in the July 3<sup>rd</sup> version of SB595
  - Performance measures will be developed and adopted for operators (ridership forecasts will form the basis for these)
  - Operating agreements with performance measures will be required with operators
  - Operators have up to five years to add new service or enhance existing services
  - If performance measures are not met, corrective action or redirecting of funding could be done by MTC
- Project sponsors may need to enter into an MOU, and will have to submit an initial project report detailing:
  - Project status on development
  - Project funding and previous expenditures
  - Detailed financial plan will be required when sponsor requests toll funding within subsequent 12 months
- Projects approved under RM3 will be included in an updated RTP by Jan 1, 2020 and submitted to Senate and Assembly Transportation Committees for review
- Ballot language is included in SB 595; however it doesn't have project information at this time

Sb 595 bill language can be found here:

[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180SB595](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB595).

SB 595 was originally scheduled to be heard in the Assembly Transportation Committee on Monday, July 10<sup>th</sup>, but it was pulled since it didn't have an expenditure plan and was rescheduled for a hearing on Thursday, July 13<sup>th</sup>. The Chair of the Committee requested that a project list be prepared as part of the bill discussion on Thursday July 13<sup>th</sup>. On Wednesday, the Bay Area Caucus met to discuss an expenditure plan to be included in

the amended bill. A Draft Expenditure Plan that was discussed and approved at the Assembly Transportation Committee on July 13<sup>th</sup> is included as Attachment C.

Alameda CTC's preliminary analysis shows that Alameda County's share represents approximately \$676 million, representing approximately 16% of the total capital amount in the draft plan. In contrast, Regional Measure 2 included \$1.515 billion for capital projects of which Alameda County received \$532 million (35%).

SB 595 will be scheduled to be heard by the Assembly Appropriation Committee in August. If approved, the bill would move the Assembly Floor for a vote then back to the Senate for concurrence. The bill could be amended in any of these future legislative steps. Alameda CTC will continue to work with MTC and state representatives to support Alameda County transportation needs in RM3.

### **MTC RM3 Framework Options Update**

On June 28<sup>th</sup> MTC had a follow up discussion to its June 9<sup>th</sup> Legislative Committee discussion on RM3 to respond to requests from Commissioners on a draft RM3 funding framework. The June 28 framework included three options, all of which funded operations at 15% of a \$3 toll for an estimated annual \$60 M for Transbay Terminal, Ferries, Clipper 2.0, Regional Express Bus. The three options are included in Attachment D.

**Fiscal Impact:** There is no fiscal impact.

### **Attachments**

- A. Alameda CTC 2017 Legislative Program
- B. Active Transportation Program, Alameda County projects
- C. Assembly Transportation Committee July 13 RM3 Draft Expenditure Plan
- D. MTC RM 3 Framework

### **Staff Contact**

[Tess Lengyel](#), Deputy Executive Director of Planning and Policy



## 2017 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](http://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
<b>Transportation Funding</b>	Increase transportation funding	<ul style="list-style-type: none"> <li>Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.</li> <li>Support increasing the buying power of the gas tax and/or increasing transportation revenues through vehicle license fees, vehicle miles traveled, or other reliable means.</li> <li>Support efforts that protect against transportation funding diversions and overall increase transportation funding.</li> <li>Support new funding sources for transportation.</li> <li>Support new funding sources for transit operations and capital for bus, BART, and rail connectivity.</li> </ul>
	Protect and enhance voter-approved funding	<ul style="list-style-type: none"> <li>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.</li> <li>Support increases in federal, state, and regional funding to expedite delivery of Alameda CTC projects and programs.</li> <li>Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures.</li> <li>Support efforts that streamline financing and delivery of transportation projects and programs.</li> <li>Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems.</li> <li>Seek, acquire, and implement grants to advance project and program delivery.</li> </ul>
<b>Project Delivery and Operations</b>	Advance innovative project delivery	<ul style="list-style-type: none"> <li>Support environmental streamlining and expedited project delivery.</li> <li>Support contracting flexibility and innovative project delivery methods, as well as project development advancements such as autonomous vehicles.</li> <li>Support high-occupancy vehicle (HOV)/toll lane expansion in Alameda County and the Bay Area, and efforts that promote effective implementation and use.</li> <li>Support efforts to allow local agencies to advertise, award, and administer state highway system contracts largely funded by local agencies.</li> </ul>
	Ensure cost-effective project delivery	<ul style="list-style-type: none"> <li>Support efforts that reduce project and program implementation costs.</li> <li>Support accelerating funding and policies to implement transportation projects that create jobs and economic growth.</li> </ul>
	Protect the efficiency of managed lanes	<ul style="list-style-type: none"> <li>Support utilizing excess capacity in HOV lanes through managed lanes as a way to improve corridor efficiencies and expand traveler choices.</li> <li>Support ongoing HOV/managed lane policies to maintain corridor-specific lane efficiency</li> <li>Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.</li> </ul>
<b>Multimodal Transportation and Land Use</b>	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none"> <li>Support legislation that increases flexibility and reduces technical and funding barriers to investments linking transportation, housing, and jobs.</li> <li>Support local flexibility and decision-making on land-use for transit oriented development (TOD) and priority development areas (PDAs).</li> </ul>



Issue	Priority	Strategy Concepts
	Expand multimodal systems and flexibility	<ul style="list-style-type: none"> <li>• Support innovative financing opportunities to fund TOD and PDA implementation.</li> <li>• Support policies that provide increased flexibility for transportation service delivery through innovative, flexible programs that address the needs of commuters, youth, seniors, people with disabilities and low-income people, including addressing parking placard abuse, and do not create unfunded mandates.</li> <li>• Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs, and education.</li> <li>• Support parity in pre-tax fringe benefits for public transit, carpooling, vanpooling and other active transportation/bicycle and pedestrian modes of travel with parking.</li> </ul>
<b>Climate Change</b>	Support climate change legislation to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> <li>• Support funding for innovative infrastructure, operations, and programs that relieve congestion, improve air quality, reduce emissions, and support economic development.</li> <li>• Support cap-and-trade funds to implement the Bay Area's Sustainable Communities Strategy.</li> <li>• Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions.</li> <li>• Support emerging technologies such as alternative fuels and fueling technology to reduce GHG emissions.</li> </ul>
<b>Goods Movement</b>	Expand goods movement funding and policy development	<ul style="list-style-type: none"> <li>• Support a multimodal goods movement system and efforts that enhance the economy, local communities, and the environment.</li> <li>• Support a designated funding stream for goods movement.</li> <li>• Support goods movement policies that enhance Bay Area goods movement planning, funding, delivery, and advocacy.</li> <li>• Support legislation that improves the efficiency and connectivity of the goods movement system.</li> <li>• Ensure that Bay Area transportation systems are included in and prioritized in state and federal goods movement planning and funding processes.</li> <li>• Support rewarding Self-Help Counties that directly fund goods movement infrastructure and programs.</li> </ul>
<b>Partnerships</b>	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> <li>• 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 in transportation.</li> <li>• Support policy development to advance transportation planning, policy, and funding at the county, regional, state, and federal levels.</li> <li>• Partner with community agencies and other partners to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs.</li> <li>• Support efforts to maintain and expand local-, women-, minority- and small-business participation in competing for contracts.</li> </ul>



## ATP CYCLE 3 - SUMMARY of APPLICATIONS and FUNDING AWARDS

### Alameda County Jurisdictions

**Table 1 - Cycle 3 ATP Unfunded Projects Eligible to Reapply for 2017 Augmentation Funding**

Index	Jurisdiction	Project Title	ATP Cycle 3 Unfunded Request (\$ X 1,000)
1	Alameda CTC	I-80/Gilman Interchange Bike/Ped Over- crossing & Access Improvements	<b>8,418</b>
2	Alameda County	Castro Valley High School SRTS	<b>2,170</b>
3	Alameda County	Heyer Ave School Corridors SRTS	<b>300</b>
4	Alameda County	Proctor Elementary School SRTS	<b>600</b>
5	Alameda County	Royal Ave SRTS	<b>456</b>
6	Berkeley	Sacramento Street Complete Streets Improvements	<b>1,542</b>
7	Berkeley	SRTS Improvements for Oxford & Jefferson Elementary Schools	<b>270</b>
8	East Bay Regional Parks District	Doolittle Dr Bay Trail, MLK Regional Shoreline	<b>4,000</b>
9	Fremont	Walnut Ave Complete Street Improvement	<b>5,189</b>
10	Hayward	Tennyson Rd Ped/Bike Bridge Project	<b>931</b>
11	Oakland	Oakland SRTS: Crossing to Safety	<b>3,714</b>
12	Oakland	West Grand Ave Complete Streets	<b>8,676</b>
13	Piedmont	Ped Safety & Bike Lane Implementation	<b>2,933</b>
14	San Leandro	Scramble Pedestrian Crosswalk at E 14th/ San Joaquin Ave Intersection	<b>369</b>
<b>Total</b>			<b>39,568</b>

# ATP CYCLE 3 - SUMMARY of APPLICATIONS and FUNDING AWARDS

## Alameda County Jurisdictions

**TABLE 2 - ATP Cycle 3 Funded Projects**

Index	Jurisdiction	Project Title	ATP Cycle 3 Funding (\$ X 1,000)
1	Alameda County	Fairview Elementary School SRTS	542
2	Alameda County	Lewelling Blvd SRTS	400
3	Alameda County	Somerset Ave School Corridor SRTS	330
4	Alameda County/ Public Health	Active Oakland Comprehensive SRTS Program	977
5	Alameda	Central Avenue Complete Streets	7,326
6	Berkeley	SRTS Improvements for John Muir Elementary	270
7	Emeryville	Bike/Ped Greenway Safety & Connectivity Improvement Project	265
8	Oakland	14th St Safe Routes in the City	10,578
9	Oakland	Fruitvale Alive Gap Closure Project	5,850
<b>Alameda County Funded Total</b>			<b>26,538</b>

## RM3 - REVISED DRAFT EXPENDITURE PLAN - JULY 13, 2017 (all amounts \$ millions)

OPERATING PROGRAM		\$3 Toll Increase		Benefit-Cost /Cost Effectiveness*
All- Corridor Operating Program	Annual RM3 Amount	% of Toll Revenue	Corridor Revenue Generated	
All Corridors	60	16%		
Transbay Terminal	5			
Ferries	35			
Regional Express Bus	20			

CAPITAL PROJECTS		\$3 Toll Increase		Benefit-Cost /Cost Effectiveness*
Regional Programs	RM3 Amount	RM3 Capital Funds %		
Bridge Rehabilitation (SFOBB & Richmond-San Rafael deck replacement, San Mateo-Hayward & Dumbarton deck overlays, paint Carquinez, miscellaneous projects on Richmond-San Rafael, SFOBB and San Mateo Hayward)	Top priority of indexing			17
BART Expansion Cars (all BART-reliant counties)	500			3
Corridor Express Lanes (Eligible: Alameda/Contra Costa I-80, Alameda I-880, Alameda-Contra Costa I-680, San Francisco 101, San Mateo 101, SR 84, SR 92, Solano I-80 Express Lanes (Red Top Road to I-505)	300			2-5
Goods Movement and Mitigation (I-580 and I-880 in Alameda County, Port of Oakland, Freight Rail Improvements)	125			N/A
Bay Trail / Safe Routes to Transit (all bridges corridors eligible)	150			2
Ferries (New vessels to add frequency to existing routes and service expansions in the counties of Alameda, Contra Costa, San Mateo, San Francisco, Solano; Antioch terminal)	325			2-6
BART to Silicon Valley, Phase 2	400			8
SMART	40			
Capitol Corridor Connection	90			
<b>Regional Programs Subtotal / % of Capital Projects</b>	<b>1,930</b>	<b>46%</b>	<b>N/A</b>	
		\$3 Toll Increase		Benefit-Cost /Cost Effectiveness*
Corridor-Specific Capital Projects	RM3 Amount	RM3 Corridor %		
<b>Central (SFOBB)</b>				
Caltrain Downtown Extension (Transbay Terminal, Phase 2)	350			3
Muni Expansion Vehicles	140			1
Core Capacity Transit Improvements serving the Bay Bridge corridor	140			2-6
AC Transit - Rapid Bus Improvements	50			2-4
New Transbay BART Tube & Approaches	50			N/A
<b>Central Subtotal / % of Corridor-Specific Projects</b>	<b>730</b>	<b>32%</b>	<b>32%</b>	
<b>South (San Mateo-Hayward, Dumbarton)</b>				
Tri-Valley Transit Access Improvements	100			N/A
Eastridge to BART Regional Connector	130			6
San Jose Diridon Station	120			8
Dumbarton Rail/ACE/BART/Shinn Station	130			N/A
101/92 Interchange	50			
<b>South Subtotal / % of Corridor-Specific Projects</b>	<b>530</b>	<b>23%</b>	<b>22%</b>	
<b>North (Richmond-San Rafael, Benicia-Martinez, Carquinez, Antioch)</b>				
Contra Costa 680/4 Interchange Improvements & Transit Enhancements	150			2
Marin-Sonoma Narrows	125			2
Solano I-80/680/SR 12 Interchange Improvements	175			1
Solano West-Bound I-80 Truck Scales	125			
Highway 37 Corridor Access Improvements from Highway 101 to I-80 and Sea Level Rise Adap	150			N/A
San Rafael Transit Center / SMART	30			N/A
Marin 101/580 Interchange	135			N/A
North Bay Transit Improvements (Contra Costa, Marin, Napa, Solano Sonoma)	100			N/A
SR 29 (South Napa County)	20			
<b>North Subtotal / % of Corridor-Specific Projects</b>	<b>1,010</b>	<b>44%</b>	<b>46%</b>	
<b>Corridor-Specific Capital Projects Subtotal / % of Capital Projects</b>	<b>2,270</b>	<b>54%</b>		
<b>Capital Projects Reserve</b>		<b>0%</b>		
<b>All Capital Projects Total</b>	<b>4,200</b>			

Notes re: Benefit/Cost

Scores are based on MTC analysis of projects for Plan Bay Area 2040 (draft) or Plan Bay Area (adopted in 2013). A score of 1 or higher means a project's benefits equal or exceed its costs. "N/A" is used where project is defined as a group of potential projects, each of which would need to be analyzed separately or where project is not sufficiently defined to do a B/C analysis.

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# Regional Measure 3 Follow-Up

Metropolitan Transportation Commission

June 28, 2017



## RM3 Follow-Up Discussion

- **Review framework presented at June 9, 2017 Legislation Committee meeting**
- **Respond to commissioner requests regarding alternative frameworks, RM 2 Performance Standards and project benefit-cost information.**



## Bridge Corridor Framework Presented to June Legislation Committee (Option 1)

PROGRAM CATEGORY	\$3 Toll Funding (in millions)
Operating Program	\$60/year
Regional Capital Program	\$2,000
Corridor-Based Capital Program	\$2,000
Reserve	\$200
Grand Total Capital Program	\$4,200



## COMMON TO ALL OPTIONS: Annual Operating Funding

OPERATING PROGRAM	Annual Amount
15% of \$3 Toll Revenue	\$60 million
ALL CORRIDORS	
Transbay Terminal	
• Ferries	
Clipper 2.0	
• Regional Express Bus	





## RM3 Framework Alternatives

### Option 1: Corridor Approach (RM2)

#### Operating Program

#### Regional Capital Program

- Bridge Rehabilitation
- BART Expansion Cars
- Corridor Express Lanes
- Freight
- Bay Trail/Safe Routes to Transit
- Ferries

#### Corridor-Based Capital Program

- Central Corridor
- North Corridor
- South Corridor

Reserve

### Option 2: Corridor Approach with fewer regional programs

#### Operating Program

#### Regional Capital Program

- Bridge Rehabilitation
- BART Expansion Cars
- Bay Trail/Safe Routes to Transit
- Ferries

#### Corridor-Based Capital Program

- ***Corridor Express Lanes and Freight*** included by corridor
- Central Corridor
- North Corridor
- South Corridor

Reserve

### Option 3: County Group Alternative

#### Operating Program

#### Regional Capital Program

- Bridge Rehabilitation
- BART Expansion Cars
- Corridor Express Lanes
- Freight
- Bay Trail/Safe Routes to Transit
- Ferries

#### County Group-Based Capital Program

- North
- East
- South
- West

Reserve



## OPTION 1: Corridor Approach

### Regional Programs

(50% Capital Funds)

- **Bridge Rehabilitation**  
(SFOBB & Richmond-San Rafael deck replacement, San Mateo-Hayward and Dumbarton deck overlays, paint Carquinez, miscellaneous projects on Richmond-San Rafael, SFOBB and San Mateo Hayward)
- **BART Expansion Cars**  
(all BART-reliant counties)
- **Corridor Express Lanes**  
(San Mateo 101, Alameda/Contra Costa I-80, Alameda I-880, Contra Costa I-680, SR 84, SR 92)
- **Freight**  
(I-580, I-880, I-80, Port of Oakland)
- **Bay Trail / Safe Routes to Transit**  
(all bridge corridors eligible)
- **Ferries**  
(New vessels to add frequency to existing routes and expansion to Mission Bay, Alameda Point-Seaplane Lagoon, Berkeley, San Francisco)

## Corridor-Specific Projects & Programs

(50% Capital Funds)

### Central

San Francisco-Oakland Bay Bridge  
*Corridor Revenue Generated: 32%*

- New Transbay Tube + Approaches (Design)
- Caltrain Downtown Extension
- Muni Expansion LRVs
- Core Capacity Projects (SF/Oakland)
- AC Transit – Rapid Bus Improvements

### North

Richmond-San Rafael, Benicia-Martinez, Carquinez, Antioch Bridges  
*Corridor Revenue Generated: 46%*

- Contra Costa 680 Express Bus/Transit Capacity
- Marin-Sonoma Narrows
- Solano 80/680 Interchange
- Highway 37
- San Rafael Transit Center/SMART
- Marin 101/580 Interchange
- North Bay Transit Improvements

### South

San Mateo-Hayward, Dumbarton Bridges  
*Corridor Revenue Generated: 22%*

- Tri-Valley Transit Access Improvements
- Eastridge to BART Regional Connector
- San Jose Diridon Station
- Dumbarton Corridor/ACE Connection
- BART to San Jose



## OPTION 2: Corridor Approach with fewer regional programs

### Regional Programs

- **Bridge Rehabilitation**  
(SFOBB & Richmond-San Rafael deck replacement, San Mateo-Hayward and Dumbarton deck overlays, paint Carquinez, miscellaneous projects on Richmond-San Rafael, SFOBB and San Mateo Hayward)
- **BART Expansion Cars**  
(all BART-reliant counties)
- **Bay Trail / Safe Routes to Transit**  
(all bridge corridors eligible)
- **Ferries**  
(New vessels to add frequency to existing routes and expansion to Mission Bay, Alameda Point-Seaplane Lagoon, Berkeley, San Francisco)

### Corridor-Specific Projects & Programs

#### Central

San Francisco-Oakland Bay Bridge

*Corridor Revenue Generated: 32%*

- New Transbay Tube + Approaches (Design)
- Caltrain Downtown Extension
- Muni Expansion LRVs
- Core Capacity Projects (SF/Oakland)
- AC Transit – Rapid Bus Improvements
- **Freight (I-880, I-80, Port of Oakland)**
- **Corridor Express Lanes (Alameda/Contra Costa I-80, Alameda I-880)**

#### North

Richmond-San Rafael, Benicia-Martinez, Carquinez, Antioch Bridges

*Corridor Revenue Generated: 46%*

- Contra Costa 680 Express Bus/Transit Capacity
- Marin-Sonoma Narrows
- Solano 80/680 Interchange
- Highway 37
- San Rafael Transit Center/SMART
- Marin 101/580 Interchange
- North Bay Transit Improvements
- **Freight (I-80)**
- **Corridor Express Lanes (Contra Costa I-680)**

#### South

San Mateo-Hayward, Dumbarton Bridges

*Corridor Revenue Generated: 22%*

- Tri-Valley Transit Access Improvements
- Eastridge to BART Regional Connector
- San Jose Diridon Station
- Dumbarton Corridor/ACE Connection
- BART to San Jose
- **Freight (I-580)**
- **Corridor Express Lanes (San Mateo 101, SR 84, SR 92)**



## OPTION 3: County Group Alternative

### Regional Programs

(50% Capital Funds)

- **Bridge Rehabilitation**  
(SFOBB & Richmond-San Rafael deck replacement, San Mateo-Hayward and Dumbarton deck overlays, paint Carquinez, miscellaneous projects on Richmond-San Rafael, SFOBB and San Mateo Hayward)
- **BART Expansion Cars**  
(all BART-reliant counties)
- **Corridor Express Lanes**  
(San Mateo 101, Alameda/Contra Costa I-80, Alameda I-880, Contra Costa I-680, SR 84, SR 92)
- **Freight**  
(I-580, I-880, I-80, Port of Oakland)
- **Bay Trail / Safe Routes to Transit**  
(all bridge corridors eligible)
- **Ferries**  
(New vessels to add frequency to existing routes and expansion to Mission Bay, Alameda Point-Seaplane Lagoon, Berkeley, San Francisco)

## County Group Projects & Programs

(50% Capital Funds)

### North

Marin, Sonoma, Napa, Solano

*County Group Revenue Generated: 24%*

- Marin-Sonoma Narrows
- Solano 80/680 Interchange
- Highway 37
- San Rafael Transit Center/SMART
- Marin 101/580 Interchange
- North Bay Transit Improvements

### East

Alameda, Contra Costa

*County Group Revenue Generated: 55%*

- Core Capacity Projects
- AC Transit Rapid Bus Improvements
- New Transbay Tube + Approaches (Design)\*
- Tri-Valley Transit Access Improvements
- BART/ACE Connection / Dumbarton Corridor Transit
- Contra Costa 680 Express Bus/Transit Capacity

### South

Santa Clara

*County Group Revenue Generated: 2%*

- Eastridge to BART Regional Connector
- San Jose Diridon Station
- BART to San Jose
- Caltrain Downtown Extension\*

### West

San Francisco, San Mateo

*County Group Revenue Generated: 20%*

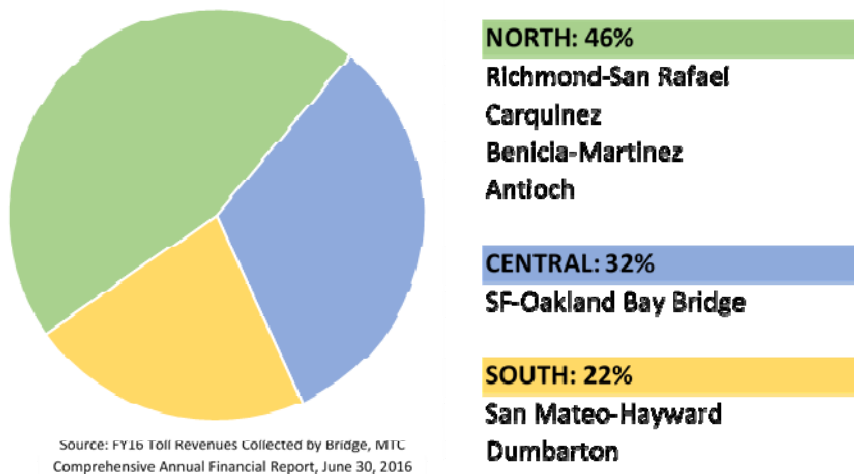
- Caltrain Downtown Extension\*
- Muni Expansion LRVs
- Core Capacity Projects
- New Transbay Tube + Approaches (Design)\*

\*multiple county groups

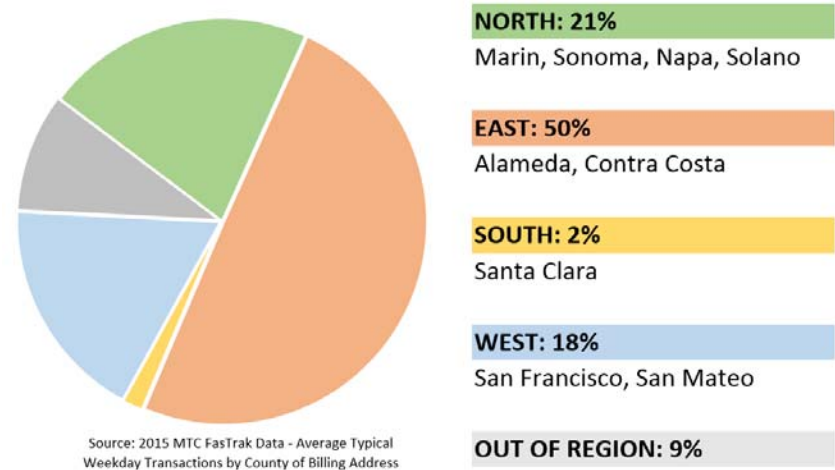


## Bridge Toll Revenue Breakdown

**Toll Revenue By Corridor**



**Bridge Toll Revenue By County Group**



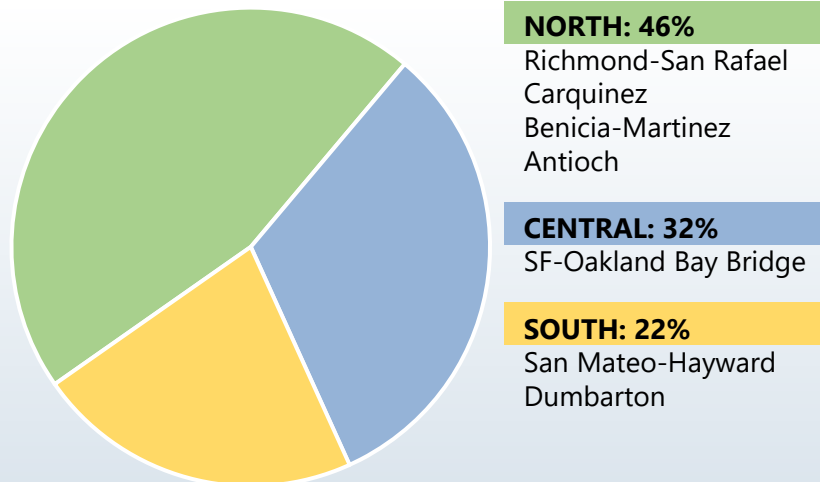


# Current Bridge Toll Investments

## Regional Measure 1

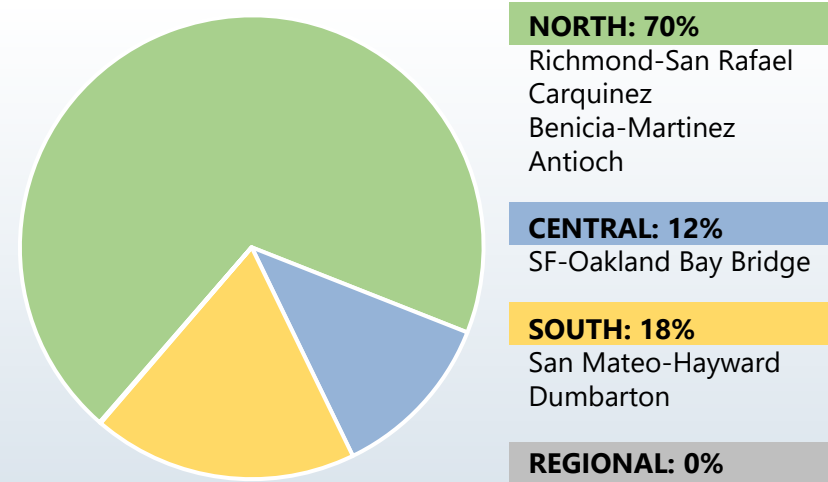
*Includes Regional Measure 1, Rail Reserves, and AB1171 funds*

**Toll Revenue By Bridge Corridor**



Source: FY16 Toll Revenue Collected by Bridge, MTC Comprehensive Annual Financial Report, June 30, 2016

**RM1 Investments By Bridge Corridor**

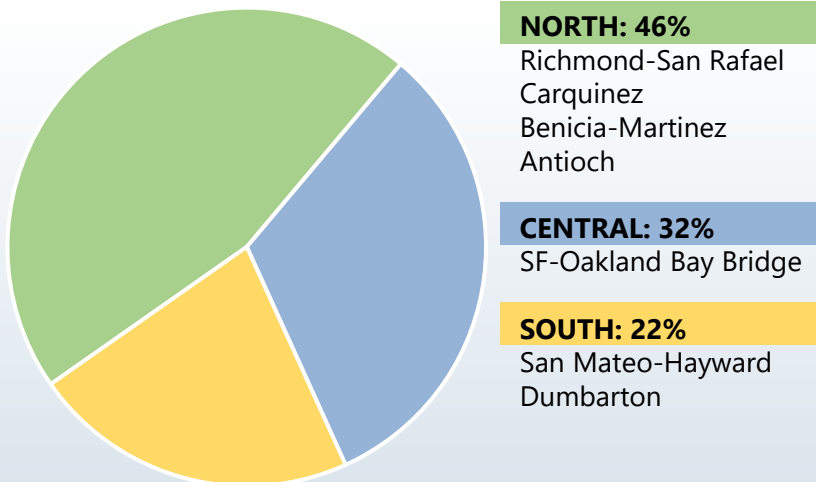


**Total = \$3.2B**



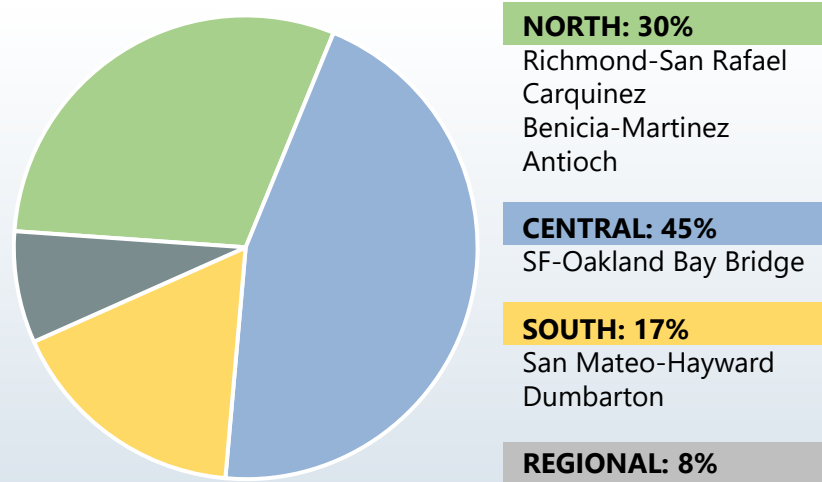
## Current Bridge Toll Investments Regional Measure 2

**Toll Revenue Bridge Corridor**



Source: FY16 Toll Revenue Collected by Bridge, MTC Comprehensive Annual Financial Report, June 30, 2016

**RM2 Investments By Bridge Corridor**



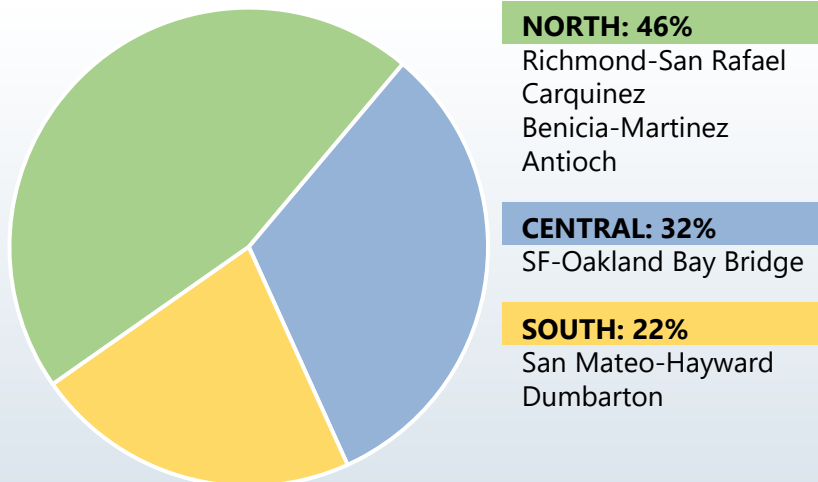
**Total = \$3.2B**





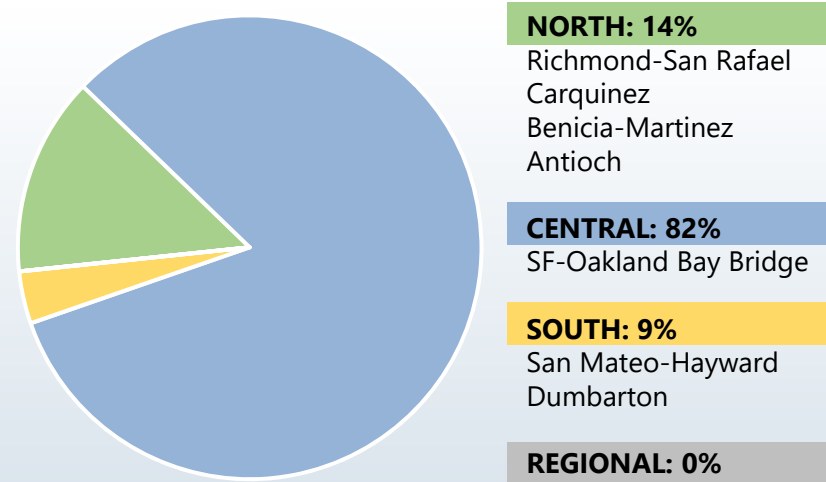
## Current Bridge Toll Investments Seismic Retrofit Program

**Toll Revenue By Bridge Corridor**



Source: FY16 Toll Revenue Collected by Bridge, MTC Comprehensive Annual Financial Report, June 30, 2016

**Seismic Investments By Bridge Corridor**



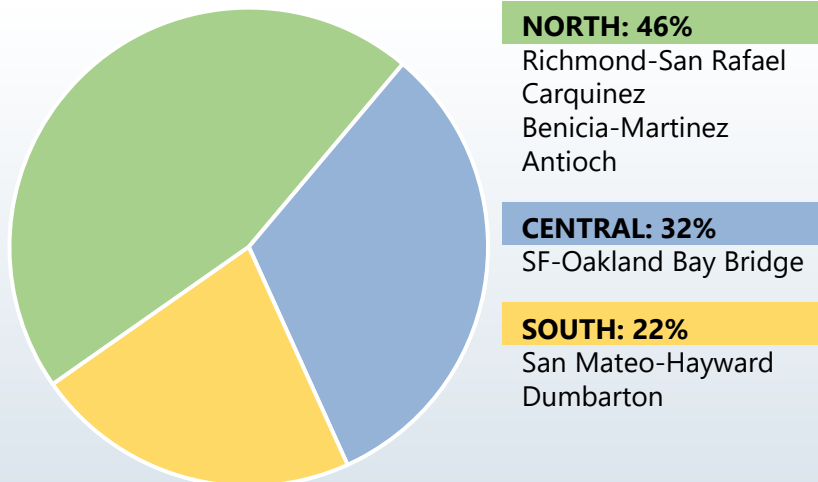
**Total = \$8.6B**





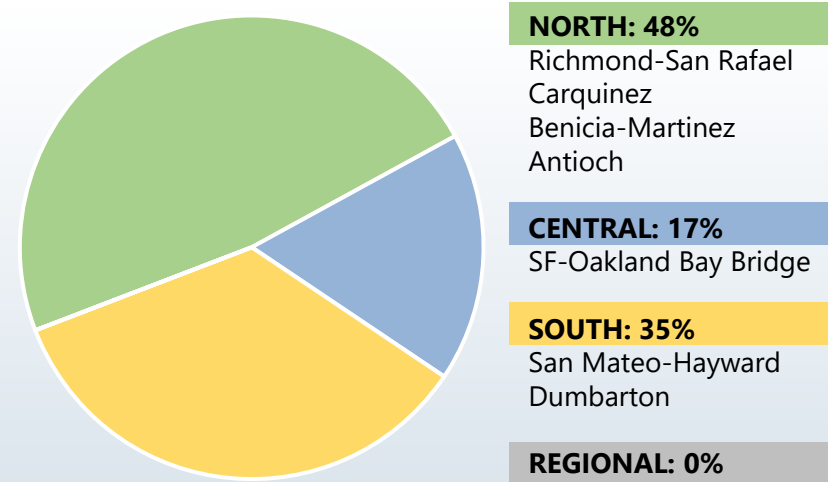
## Current Bridge Toll Investments Express Lanes Program

**Toll Revenue By Bridge Corridor**



Source: FY16 Toll Revenue Collected by Bridge, MTC Comprehensive Annual Financial Report, June 30, 2016

**EL Investments By Bridge Corridor**



**Total = \$381M**



## Performance Analysis – Capital Projects

Projects with Benefit/Cost Ratio Calculated through Plan Bay Area or Draft Plan Bay Area 2040	BENEFIT/COST	Programs or projects needing further definition or analysis	BENEFIT/COST
• Bridge Rehabilitation	17	• Freight	N/A
• BART Expansion Cars	3	• New Transbay Tube + Approaches (Design)	N/A
• Corridor Express Lanes	2-5	• Tri-Valley Transit Access Improvements	N/A
• Bay Trail / Safe Routes to Transit	2	• Dumbarton Corridor/ACE Connection	N/A
• Ferries	2-6	• Highway 37	N/A
• Caltrain Downtown Extension	3	• San Rafael Transit Center/SMART	N/A
• Muni Expansion LRVs	1	• Marin 101/580 Interchange	N/A
• Core Capacity Projects (SF/Oakland)	2-6	• North Bay Transit Improvements	N/A
• AC Transit - Rapid Bus Improvements	2-4		
• Eastridge to BART Regional Connector	6		
• San Jose Diridon Station	8		
• BART to San Jose	8		
• Contra Costa 680 Express Bus/Transit Capacity	2		
• Marin-Sonoma Narrows	2		
• Solano 80/680 Interchange	1		



## Operating Program Performance Standards

- Regional Measure 2 authorizing legislation included language requiring MTC to adopt performance measures related to transit performance.
- In seven cases, routes failed standards and operators were notified; adjustments were made to service and/or extensions were issued.
- On six bus routes, RM 2 operating funding was discontinued due to failure to achieve standard.

### MTC Policy on RM 2 Farebox Recovery

Service Type	Ferry	Rail	Bus
Peak Service	40%	35%	30%
All Day Service	30%	25%	20%
Owl Service	N/A	N/A	10%



## Next Steps for RM 3

- Continue dialogue with the Bay Area legislative delegation regarding the expenditure plan and any policy provisions.
- Senate Bill 595 (Beall) must be heard in the Assembly Transportation Committee by July 14.
- The next committee deadline is the Assembly Appropriations Committee, where it must be passed by September 1; the last day for both houses to pass bills is September 15. The Governor has until October 15 to sign or veto bills.
- If bill is enacted, Commission will need to determine when to place measure on the ballot.



# Memorandum

9.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** East Bay Greenway (Lake Merritt to South Hayward) Project Update

**RECOMMENDATION:** Receive an update on the Environmental Phase progress for the East Bay Greenway (Lake Merritt to South Hayward) Project.

## Summary

Alameda CTC is the project sponsor for the East Bay Greenway (Lake Merritt to South Hayward) Project. The Project proposes to construct a bicycle and pedestrian facility that will generally follow the BART alignment for a distance of 16-miles and traverse the cities of Oakland, San Leandro, and Hayward as well as the unincorporated communities of Ashland and Cherryland. The project connects seven BART stations as well as downtown areas, schools, and other major destinations.

In September 2014, Alameda CTC leveraged available local funds and was awarded \$2.6 million in state Active Transportation Program (ATP) funding towards the environmental clearance for the Project. The environmental strategy will include securing environmental clearance under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), with Alameda CTC as the lead agency for CEQA and Caltrans as the lead agency for NEPA. Specifically, the Project seeks to obtain an Initial Study/Mitigated Negative Declaration (IS/MND) and a Categorical Exclusion (CE) determination for CEQA and NEPA respectively, by June 2018 when the ATP grant expires.

As the lead agency for CEQA, Alameda CTC is responsible for approving and certifying the Final Environmental Document (FED). This staff report provides an overview of the Project in anticipation of the release of the Draft Environmental Document (DED) in November 2017 and is the first in a series of Project items that will be presented in the coming months in preparation for required Commission Project action under the CEQA process.

The environmental clearance approach for the Project incorporates the phased implementation of the 16-mile corridor on a segment-by-segment basis to allow design, and eventual project construction, to proceed once constraints, such as right-of-way (ROW) availability, jurisdictional readiness, and funding are resolved. This approach will allow those segments with little or no constraints to be constructed early so that localized benefits may be realized as soon as possible.

## **Background**

Alameda CTC is the project sponsor for the East Bay Greenway (Lake Merritt to South Hayward) Project. The Project proposes to construct a bicycle and pedestrian facility that will generally follow the BART alignment for a distance of 16-miles and traverse the cities of Oakland, San Leandro, and Hayward as well as the unincorporated communities of Ashland and Cherryland. The project connects seven BART stations as well as downtown areas, schools, and other major destinations.

In September 2014, Alameda CTC leveraged available local funds and was awarded \$2.6 million in state ATP funding towards the environmental clearance for the Project. The ATP grant requires Project environmental clearance by June 2018.

### ***Environmental Clearance Approach***

Alameda CTC is leading the preparation of an Environmental Document with an anticipated release in November 2017. Alameda CTC is the lead agency for CEQA and Caltrans is the lead agency for NEPA. The Project seeks to obtain an IS/MND and a CE determination for CEQA and NEPA respectively.

Since the initiation of the environmental phase, Alameda CTC has developed conceptual designs to support the environmental analysis and prepared over ten different technical studies to determine the extent of environmental impacts. Key considerations that will be further evaluated and discussed as the Project proceeds are as follows:

- UPRR ROW availability – approximately 12.5 miles of the Project corridor are shared by the Oakland Subdivision which is an active rail line and an asset to the Union Pacific Railroad. Its availability for the Project is unknown and may be subject to larger regional rail discussions.
- Hazardous materials/contamination – soils adjacent to railroad tracks are often contaminated with hazardous substances. The Project would have to assume the costs and risks associated with appropriate testing and disposal of any contaminated soils generated from the project footprint.
- Facility ownership, operations, and maintenance – prior to implementation of the project, local jurisdictions would need to agree to accept ownership of the facility, including any right-of-way acquired for the Project. Each local jurisdiction would also need to agree to be responsible for operations and maintenance.

Under a conventional approach, the above items would be finalized along with a defined build alternative to obtain certification of environmental clearance. Given the variations in the time required to resolve issues and the cost factors along the 16-mile corridor, the environmental clearance approach for the Project allows for a phased implementation on a segment-by-segment basis so that longer lead items such as UPRR negotiations and acceptance of maintenance obligations could be secured during the design phase. It also

establishes a project boundary that can accommodate variations in project construction elements as described below.

In general, the bicycle and pedestrian facilities along the corridor will be either a Class I (multi-use path) or Class IV (separated bikeway) as determined by the location and constraints. The Project would also include crossings including traffic control and other modifications to ensure safe and accessible operation; connections to existing sidewalks and pathways along the project corridor; lighting, fencing, barrier railings, and other features needed to ensure safety and security. Landscaping features will vary depending upon each jurisdiction's maintenance and operational needs. It is anticipated that more robust features will be addressed by each jurisdiction through independent local projects.

- **Option 1 – Rail-to-Trail** option assumes that the Oakland Subdivision would no longer have active rail service and the full 80-100 foot wide right-of-way is available for the Project. Under this option, existing railroad bridge structures at creeks and major roadways could be retrofitted as trail crossings, surplus right-of-way not needed for the trail could be repurposed for other uses, and the trail cross section (e.g. width) could be designed in an unconstrained manner.
- **Option 2 – Rail-with-Trail** option assumes that the Oakland Subdivision remains active and a trail is constructed in the corridor alongside the rail. The rail-with-trail option would meet all California Public Utilities Commission (CPUC) requirements for setbacks and assumes that fencing to separate trail users from an active rail line would be provided. The rail-with-trail assumes the minimum possible encroachment into UPRR right-of-way possible while still constructing a continuous facility in the BART/UPRR corridor. This option requires encroachment into UPRR right-of-way for approximately six miles.

The options are identical in the northern 3.5 miles of the project (Lake Merritt BART to 47<sup>th</sup> Avenue) where no UPRR tracks are present; in the southern 12.5 miles of the project (47<sup>th</sup> Avenue to South Hayward BART) the options are distinguished by the degree to which they use UPRR ROW.

### ***Project Cost***

The Project construction cost is estimated to be approximately \$160 million for either Option 1 or 2 for the length of the corridor. The ROW capital cost will vary significantly between Option 1 and 2 and may be subject to larger regional rail discussions.

### ***Next Steps***

Specific upcoming milestones include:

- October 2017 – Presentation to the Commission about findings of environmental studies
- November 2017 – release CEQA document, begin 30-day comment period

- March 2018 – Approval of Final CEQA document by the Commission
- April 2018 – Certification of NEPA document by Caltrans

Following certification of the environmental document, design and construction may proceed on a phased, segment-by-segment basis, subject to funding and right-of-way availability. This approach will allow for localized benefits to be realized as soon as possible.

**Fiscal Impact:** There is no fiscal impact.

**Attachments:**

- A. East Bay Greenway (Lake Merritt to South Hayward) Fact Sheet
- B. East Bay Greenway (Lake Merritt to South Hayward) Project Corridor map

**Staff Contact**

[Trinity Nguyen](#), Director of Project Delivery

[Minyoung Kim](#), Project Manager





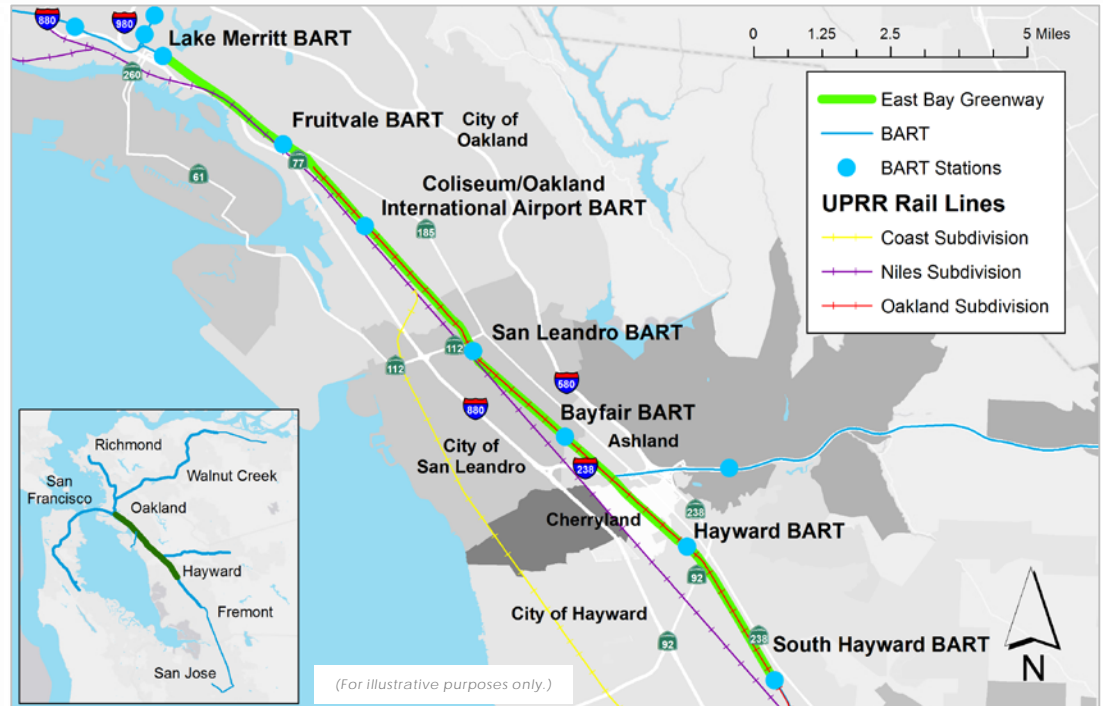
# East Bay Greenway: Lake Merritt BART to South Hayward BART

JUNE 2017

## PROJECT OVERVIEW

The Alameda County Transportation Commission (Alameda CTC) is the implementing agency for the East Bay Greenway: Lake Merritt BART Station to South Hayward BART Station Project. The project proposes to construct a 16-mile regional trail facility along the BART alignment from Oakland to Hayward. The project would consist of Class I multi-use pathways and Class IV protected bikeways as well as lighting, fencing, barrier railings, intersection improvements and crossing treatments, and other features needed to ensure user safety and security.

Much of the project corridor contains an active Union Pacific Railroad (UPRR) line and availability of UPRR right-of-way will determine the ultimate project design. Two design options are under consideration to provide "bookends" for environmental analysis purposes. A Rail-with-Trail option would construct a trail adjacent to the rail line while preserving rail operations. A Rail-to-Trail option would involve abandonment of the rail line and conversion to a trail facility. Both options require some usage of UPRR right-of-way.



## PROJECT NEED

- The existing county bikeway network does not provide a continuous and comfortable route connecting Downtown Oakland and South Hayward.
- Existing interjurisdictional routes in the East Bay Greenway corridor are generally arterial roadways that carry significant traffic volumes, are designated transit and truck routes, and have established histories of collisions involving bicyclists and pedestrians.
- The East Bay Greenway jurisdictions and BART have adopted specific plans, station area plans and other land use plans, calling for thousands of additional residents and jobs in the East Bay Greenway corridor. Improved last-mile transit access to regional transit and destinations is essential to accommodating planned growth along the East Bay Greenway corridor.

## PROJECT BENEFITS

- Improves bicycle and pedestrian network connectivity in communities along the BART line
- Improves access to regional transit, schools, downtown area, and other destinations
- Creates a facility that is accessible and comfortable to bicyclists and pedestrians of all ages and abilities
- Improves safety for bicyclists and pedestrians
- Supports promotion of a multimodal transportation system and reduction of greenhouse gas emissions

## STATUS

**Implementing Agency:** Alameda CTC

**Current Phase:** Environmental

- Develop conceptual engineering for feasible design options
- Assess and disclose potential environmental impacts and mitigations
- Reach out to UPRR regarding right-of-way availability

## PROJECT EVENTS AND PUBLIC INPUT

- Updates on project development have been provided to Alameda CTC and local Bicycle and Pedestrian Advisory Committees (BPACs).
- Comments and feedback can be provided online at [www.alamedactc.org/eastbaygreenway](http://www.alamedactc.org/eastbaygreenway).



Project corridor in San Leandro south shared by UPRR – an active freight rail line.

## PROJECT DOCUMENTS

**Project materials, including past presentations**

[www.alamedactc.org/eastbaygreenway](http://www.alamedactc.org/eastbaygreenway)

**Draft Environmental Document**

The draft Environmental Document is anticipated in winter 2017.

## PARTNERS AND STAKEHOLDERS

Cities of Oakland, San Leandro and Hayward, Alameda County, BART, East Bay Regional Park District and the California Department of Transportation – lead agency for NEPA clearance

### COST ESTIMATE BY PHASE (\$ X 1,000)

PE/Environmental	\$	6,501
Final Design	\$	35,000
Right-of-Way	\$	100,000-300,000
Construction	\$	160,000
<b>Total Expenditures</b>	<b>\$</b>	<b>301,501-501,501</b>

### FUNDING SOURCES (\$ X 1,000)

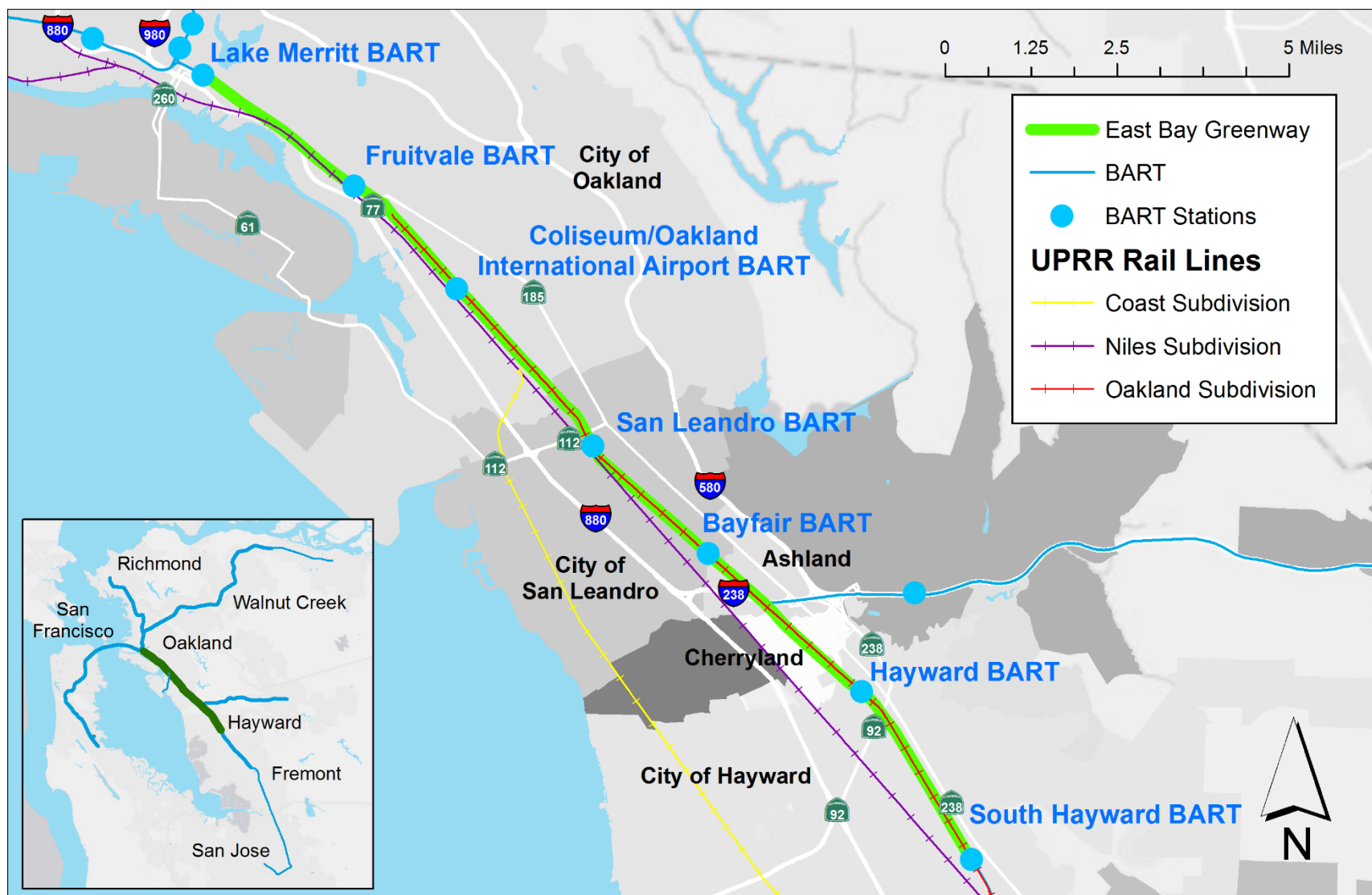
Measure BB	\$	3,500
Measure B	\$	345
Federal	\$	2,656
State	\$	TBD
Regional	\$	TBD
TBD	\$	295,000-495,000
<b>Total Revenues</b>	<b>\$</b>	<b>301,501-501,501</b>

### SCHEDULE BY PHASE

	Begin	End
Preliminary Engineering/ Environmental (IS-MND/CE)	October 2015	Spring 2018
Final Design (PS&E)	TBD	TBD
Right-of-Way	TBD	TBD
Construction	TBD	TBD

Note: Information on this fact sheet is subject to periodic updates.

## Attachment B: East Bay Greenway (Lake Merritt to South Hayward) Project Corridor Map



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# Memorandum

10.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

**DATE:** July 20, 2017

**SUBJECT:** Niles Canyon Trail Project

**RECOMMENDATION:** Receive an update on the Niles Canyon Trail Project.

## Summary

The Niles Canyon Trail Project proposes to construct a Class I multi-use pathway connecting from Vallejo Mills Park in the Niles District of the City of Fremont to the Town of Sunol, a distance of approximately 6 miles. The project would traverse the Niles Canyon corridor which is also shared by State Route 84, the Union Pacific Railroad Oakland Subdivision, the Niles Canyon Railway, the Sunol Aqueduct, and the Alameda Creek. The project is being jointly developed by Alameda County and the East Bay Regional Parks District, and a feasibility study was completed in 2015. County staff will be present at the July Planning, Policy, and Legislation Committee meeting to provide an informational update on the project.

## Attachment:

- A. [Niles Canyon Trail Feasibility Study](#) (hyperlinked to web)

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