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ALAMEDA COUNTY TRANSPORTATION COMMISSION

Resolution No. 20-007

Resolution of the Alameda County Transportation Commission Amending the 2014 Transportation Expenditure Plan to Delete the BART to Livermore Project and add the Valley Link Project

WHEREAS, by action of the governing body ("Commission") of Alameda County Transportation Commission ("Alameda CTC") at a regular Commission meeting on January 23, 2014, Alameda CTC approved the 2014 Transportation Expenditure Plan ("2014 TEP"), and in November 2014, the voters of Alameda County approved Measure BB, a sales tax measure intended to provide funding for the 2014 TEP.

WHEREAS, the 2014 TEP allocated \$400 million to a project identified as "BART to Livermore," constituting the first phase of a San Francisco Bay Area Rapid Transit District ("BART") extension within the I-580 Corridor to serve residents and businesses in that Corridor.

WHEREAS, on May 24, 2018, the BART Board certified the Final Environmental Impact Report for the BART to Livermore project, but declined to approve the project as proposed nor any alternative for the project.

WHEREAS, Assembly Bill (AB) 758, as adopted by the State legislature and signed by the Governor, created the Tri Valley San Joaquin Valley Regional Rail Authority ("TVSJVRRRA"), an entity led by a 15-member governing Board comprised of representatives from the counties of Alameda and San Joaquin; the cities of Dublin, Livermore, Pleasanton, Danville, San Ramon, Tracy, Lathrop, Stockton, and Manteca; Mountain House Community Services District; the Livermore Amador Valley Transit Authority (LAVTA), BART, and the San Joaquin Regional Rail Commission (SJRRC). The goal of TVSJVRRRA is to deliver a cost-effective connection from the San Joaquin Valley to the BART system and the ACE system in the Tri-Valley, to address regional economic and transportation challenges.

WHEREAS, AB 758 specifically stated that the TVSJVRRRA would only assume planning, development and delivery of a rail extension should the BART Board fail to adopt a preferred alternative for a BART extension by June 30, 2018. When the BART Board voted to not advance the BART to Livermore project, the TVSJVRRRA assumed

responsibility to advance a rail extension in the Corridor, now identified as "Valley Link."

WHEREAS, a key requirement of AB 758 was that the TVSJVRRRA Board approve a Feasibility Report for the project. The Final Feasibility Report was approved in October 2019. The TVSJVRRRA has continued to work to advance the project, initiating the environmental impact analysis and preliminary design engineering work.

WHEREAS, the TVSJVRRRA has been updating the project costs as part of project development. The most current project cost estimates range from \$2.81 billion to \$3.18 billion in mid-point year of expenditure dollars for the Phase 1 project from Dublin-Pleasanton to North Lathrop. The project is currently in the EIR process, and will begin both the Caltrans project development process and NEPA environmental clearance process in 2020 and 2021.

To date, a total of \$708 million is identified by the TVSJVRRRA as available for the project: \$400 million in Measure BB funds (per a 2014 TEP amendment), \$188 million in Bridge Toll funds (including \$100 million in Regional Measure 3 funds), \$40 million in impact fees from the City of Livermore, \$40 million from the Tri-Valley Transportation Council, and \$40 million from the City of Tracy property contribution. The project is expected to compete for regional, state and federal funds to secure additional funding. Other revenue measures in the Bay Area and San Joaquin County, if passed by voters, could be additional revenue sources for the project.

WHEREAS, given that the Valley Link project traverses two counties, two Metropolitan Planning Organization regions, and affects an interstate system, Express Lanes system, and existing rail system and service providers, the TVSJVRRRA established an Executive Steering Committee (ESC) comprised of MTC, San Joaquin Council of Governments (SJCOG), San Joaquin Regional Rail Commission (SJRRC), BART, Alameda CTC, and Caltrans to provide input on the development of the feasibility report and project development. Alameda CTC's executive director participates in these meetings. Several of these agencies have taken actions to support development of the project, as outlined below:

MTC: In September 2018, MTC allocated \$10.12 million to the TVSJVRRRA for CEQA documentation and preliminary engineering on the Valley Link rail project, from the \$95 million in AB1171 Bridge Tolls committed to Tri-Valley Transit Access Improvements through MTC Res. No. 3434. In March 2020, MTC approved an additional allocation of \$3 million in AB1171 Bridge Toll funds to the TVSJVRRRA for the environmental phase and updates to the preliminary engineering plans. In June 2020, MTC allocated an additional \$46.8 million to advance the project's environmental and design phases.

SJCOG: In April 2020, the SJCOG Board approved an amendment to its 2018 Regional Transportation Plan to include the Valley Link project, including identification of \$163.9 million for the project in the plan from future measures and state funds, and SJCOG also contributed funding for the environmental document. In addition, the City of Tracy is anticipated to act in September 2020 to donate a 200-acre parcel under City ownership to the project to be used for an operations and maintenance facility. The property has an estimated value of \$40 million.

WHEREAS, the 2014 TEP and Public Utilities Code Section 180207 together provide that the 2014 Plan may be modified if an amendment is approved by a two-thirds vote of the Commission.

NOW THEREFORE, BE IT RESOLVED that the 2014 Transportation Expenditure Plan is amended to delete the BART to Livermore Project and all references to that Project;

BE IT FURTHER RESOLVED that the Tri Valley San Joaquin Valley Regional Rail Authority be recognized as an eligible agency for recipient of funds in the 2014 TEP;

BE IT FURTHER RESOLVED that the Valley Link Rail Project in Alameda County with an allocation of \$400 Million is placed in the 2014 TEP, described as follows:

This project funds the first phase of a Valley Link rail extension from the existing Dublin/Pleasanton BART station within the Tri-Valley and Altamont Pass in Alameda County using the most effective and efficient technology. Funds are for construction for any element of this first phase project in Alameda County and shall not be used until full funding commitments are identified and approved for the initial operating segment, defined as from the Dublin/Pleasanton BART station to the proposed Mountain House station, that most effectively meets the adopted project goals, and a project-specific environmental clearance is obtained. The project-specific environmental process will include a detailed alternatives assessment of fundable and feasible alternatives, and be consistent with mandates, policies and guidance of federal, state, and regional agencies that have jurisdiction over the environmental and project development process.

BE IT FURTHER RESOLVED that the 2014 TEP be amended to include the following specific description of the Valley Link Project:

A proposed new rail service between Alameda and San Joaquin Counties that will provide passenger rail service between the existing Dublin/Pleasanton BART Station and the City of Stockton. The proposed project includes seven stations on a 42-mile alignment that is expected to run along the existing I-580 corridor (11.5 miles), through the Altamont Pass using the Alameda County-owned former Southern Pacific Railroad corridor (12.5 miles) and on existing UPRR rail corridor (17.5 miles) into San Joaquin County. Design work is currently underway as part of the EIR process and will examine detailed project right-of-way needs and potential impacts in more detail.

DULY PASSED AND ADOPTED by the Alameda CTC Commission at the regular Commission meeting held on Thursday, September 24, 2020 in Oakland, California, by the following vote:

AYES: 23

NOES: 2

ABSTAIN: 1

ABSENT: 1

SIGNED:



Pauline Russo Cutter,
Chair, Alameda CTC

Attest:



Vanessa Lee,
Clerk of the Commission