



Planning, Policy and Legislation Committee Meeting Agenda Monday, April 12, 2021, 11:30 a.m.

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Commission will not be convening at its Commission Room but will instead move to a remote meeting.

Members of the public wishing to submit a public comment may do so by emailing the Clerk of the Commission at vee@alamedactc.org by 5:00 p.m. the day before the scheduled meeting. Submitted comments will be read aloud to the Commission and those listening telephonically or electronically; if the comments are more than three minutes in length the comments will be summarized. Members of the public may also make comments during the meeting by using Zoom's "Raise Hand" feature on their phone, tablet or other device during the relevant agenda item, and waiting to be recognized by the Chair. If calling into the meeting from a telephone, you can use "Star (*) 9" to raise/ lower your hand. Comments will generally be limited to three minutes in length, or as specified by the Chair.

Committee Chair:	Elsa Ortiz, AC Transit	Executive Director:	Tess Lengyel
Vice Chair:	Barbara Halliday, City of Hayward	Staff Liaison:	Carolyn Clevenger
Members:	Keith Carson, Wilma Chan, Lori Droste, Marilyn Ezzy Ashcraft, Melissa Hernandez, Rebecca Kaplan, Rochelle Nason	Clerk of the Commission:	Vanessa Lee
Ex-Officio:	Pauline Russo Cutter, John Bauters		

Location Information:

Virtual Meeting Information: <https://zoom.us/j/94482511975?pwd=K29qUkJPL0RiR2tzN0tlcWtabFNGUT09>
Webinar ID: 944 8251 1975
Password: 549902

For Public Access
Dial-in Information: **(669) 900-6833**
Webinar ID: 944 8251 1975
Password: 549902

To request accommodation or assistance to participate in this meeting, please contact Vanessa Lee, the Clerk of the Commission, at least 48 hours prior to the meeting date at: vee@alamedactc.org

1. Call to Order

2. Roll Call

3. Public Comment

4. Consent Calendar

Page/Action

- | | | | |
|------|---|----|---|
| 4.1. | Approve March 8, 2021 PPLC Meeting Minutes | 1 | A |
| 4.2. | Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments | 5 | I |
| 4.3. | Approve the Professional Services Agreement (A21-0025) with Nelson\Nygaard Consulting Associates for Paratransit Coordination Services | 11 | A |
| 4.4. | Approve administrative amendment to Alameda CTC agreement (A16-0027) in support of the Alameda CTC Affordable Student Transit Pass Program (STPP) | 15 | A |

5. Regular Matters

- | | | | |
|------|---|----|-----|
| 5.1. | Affordable Student Transit Pass Program Update | 19 | I |
| 5.2. | Approve the State Transit Assistance (STA) County Block Grant Program Distribution Formula for Fiscal Years 2021-22 and 2022-23 | 23 | A |
| 5.3. | Federal, state, regional, and local legislative activities update | 33 | I/A |

6. Committee Member Reports

7. Staff Reports

8. Adjournment

Next Meeting: Monday, May 10, 2021

Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda, submit an email to the clerk or use the Raise Hand feature or if you are calling by telephone press *9 prior to or during the Public Comment section of the agenda. Generally public comments will be limited to 3 minutes.
- Call 510.208.7450 (Voice) or 1.800.855.7100 (TTY) five days in advance to request a sign-language interpreter.
- If information is needed in another language, contact 510.208.7400.
- Call 510.208.7400 48 hours in advance to request accommodation or assistance at this meeting.
- Meeting agendas and staff reports are available on the [website calendar](#).



Alameda CTC Schedule of Upcoming Meetings April 2021 through May 2021

Commission Chair
Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair
Councilmember John Bauters
City of Emeryville

AC Transit
Board President Elsa Ortiz

Alameda County
Supervisor David Haubert, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART
Vice President Rebecca Saltzman

City of Alameda
Mayor Marilyn Ezy Ashcraft

City of Albany
Councilmember Rochelle Nason

City of Berkeley
Councilmember Lori Droste

City of Dublin
Mayor Melissa Hernandez

City of Fremont
Mayor Lily Mei

City of Hayward
Mayor Barbara Halliday

City of Livermore
Mayor Bob Woerner

City of Newark
Councilmember Luis Freitas

City of Oakland
Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont
Councilmember Jen Cavanaugh

City of Pleasanton
Mayor Karla Brown

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

Commission and Committee Meetings

Time	Description	Date
2:00 p.m.	Alameda CTC Commission Meeting	April 22, 2021 May 27, 2021
9:00 a.m.	I-680 Sunol Smart Carpool Lane JPA (I-680 JPA)	May 10, 2021
9:30 a.m.	Finance and Administration Committee (FAC)	
10:00 a.m.	Programs and Projects Committee (PPC)	
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	

Advisory Committee Meetings

9:30 a.m.	Paratransit Program Plan Review Subcommittees	April 26-27, 2021
1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	May 6, 2021
5:30 p.m.	Bicycle and Pedestrian Advisory Committee (BPAC)	May 27, 2021

Due to the statewide stay at home order and the Alameda County Shelter in Place Order, and pursuant to the Executive Order issued by Governor Gavin Newsom (Executive Order N-29-20), the Commission will not be convening at its Commission Room but will instead move to a remote meeting.

Meeting materials, directions and parking information are all available on the [Alameda CTC website](http://www.AlamedaCTC.org). Meetings subject to change.

This page intentionally left blank



1. Call to Order

2. Roll Call

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

Commissioner Cox was present as the alternate for Commissioner Chan. Commissioner Robinson was present as the alternate for Commissioner Lori Droste.

Subsequent to roll call:

Commissioner Halliday arrived during item 5.1.

3. Public Comment

There were no public comments.

4. Consent Calendar

4.1. Approve February 8, 2021 PPLC Meeting Minutes

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

Commissioner Ezzy Ashcraft moved to approve the consent calendar. Commissioner Cox seconded the motion. The motion passed with the following roll call votes:

Yes: Bauters, Carson, Cox, Cutter, Ezzy Ashcraft, Hernandez, Kaplan, Nason, Ortiz, Robinson

No: None

Abstain: None

Absent: Halliday

5. Regular Matters

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

Tess Lengyel stated that Maisha Everhart will provide an update on federal, state and local legislative activities and Carolyn Clevenger will provide a brief update on the California State Transportation Agency (CalSTA) Climate Action Plan for Transportation Infrastructure (CAPTI). Ms. Clevenger stated that the Senate passed the American Rescue Plan and the package will go back to the House to approve the Senate amendments before going to President Biden to sign into law. She stated that the Senate Finance Committee advanced California Attorney General Becerra nomination for Health and Human Services Secretary. The Clean Future Act was

introduced by the House and this would set national targets to achieve a 50% reduction in greenhouse gas (GHG) emissions from 2005 levels by 2030 and a net-zero GHG economy by 2050. Congress is moving forward with the Surface Transportation Bill and discussions will begin in the spring. Ms. Clevenger noted that Alameda CTC was approached by Senators Padilla and Feinstein for suggestions regarding programmatic policy changes as part of the federal surface transportation bill reauthorization. She said that staff is working to identify various strategies to recommend. Ms. Clevenger noted that Alameda CTC is in the process of scheduling meetings with the federal delegation in March and with the Biden Administration in April. Ms. Clevenger stated that staff is planning to schedule meetings with the Department of Transportation, the Department of Energy and the Environmental Protection Agency to discuss across these agencies interests and priorities that the Commission has expressed and included in its 2021 Legislative Program.

Ms. Clevenger stated that the state legislature reconvened on January 11, 2021. The deadline for bills to be introduced was February 19, 2021. She noted that during this legislative session, members are restricted on the number of bills they can introduce and staff is reviewing the bills based on the priorities that the Commission identified in the Alameda CTC Legislative Program. Once bills are reviewed, staff will bring relevant legislation to the Commission for consideration.

Ms. Clevenger provided an update on CalSTA CAPTI Plan. The plan details how the state recommends investing discretionary transportation dollars to combat and adapt to climate change while supporting public health, safety and equity. CAPTI builds on Executive Orders signed by Governor Gavin Newsom in 2019 and 2020 targeted at reducing GHG emissions in transportation. Ms. Clevenger stated that staff has requested that the state provide an update to the Commission once the draft plan is released.

Commissioner Kaplan asked when will the American Rescue Plan be signed and how soon after will the funds be dispersed. Maisha Everhart stated that the House is expected to pass the bill by Tuesday, March 9, 2021 and the Biden Administration has indicated that it will be signed by March 14, 2021.

Commissioner Kaplan stated that David Chiu has a bill regarding speed enforcement and requested that the agency support it. Commissioner Kaplan also asked if any action has been taken on the zero-emission freight hydrogen fuel cell grant application.

Commissioner Cox expressed her interest in AB 43 (Friedman), which will allow local jurisdictions to make changes in speed limits.

Commissioner Ortiz asked if CAPTI is a new program and wanted more information on why was it created. Ms. Clevenger stated that the Governor's Executive Order, N19-19, called for the creation of this Plan. The CAPTI Plan will lay out specific actions for the state to implement to combat climate change. CalSTA is leading this effort

and the Plan will focus on transportation and zero omission vehicles. Ms. Lengyel stated that two executive orders are feeding into CAPTI and that the Plan must be completed by July 2021. This will guide future transportation funding decisions at the state.

Commissioner Ortiz suggested adding AB 455 Bay Bridge Fast Forward Program and AB 917, allowing cameras to help enforce bus only lanes, to the list of bills for the agency to support. Ms. Lengyel stated that staff is reviewing the bills and will bring a recommendation to the Commission on positions.

Commissioner Kaplan moved to approve this item. Commissioner Bauters seconded the motion. The motion passed with the following roll call votes:

Yes: *Bauters, Carson, Cox, Cutter, Ezzy Ashcraft, Halliday, Hernandez, Kaplan, Nason, Ortiz, Robinson*

No: *None*

Abstain: *None*

Absent: *None*

5.3. Approve Amendment to On-call Planning and Programming Technical Services Contract

Tess Lengyel stated that this item is a follow up to the Commission's approval of the Countywide Transportation Plan and the initiatives to advance as part of the implementation of the Plan. She noted that this is a request for an extension and increased funding for the consultant contract that will support the agency's ability to develop and implement many of those initiatives. Cathleen Sullivan recommended that the Commission approve authorization for the Executive Director to negotiate and execute an amendment to professional services contract A18-0052 with HDR Engineering, Inc. to provide On-Call Planning and Programming Technical Services. The amendment will add \$1,000,000 and two years to the contract, extending the contract to June 30, 2023.

Commissioner Ortiz noted that there are 11 subs on the contract and asked whether any of those were women and minority-owned firms, and how Alameda CTC ensures that they have the opportunity to do some of the work. Ms. Lengyel stated that if contracts are funded with federal dollars staff works with Caltrans for DBE goals and the agency has always exceeded goals for local and small businesses. She stated that Alameda CTC has a Local Business Contract Equity Program (LBCE) and staff will provide an update to the Commission on the LBCE Program later in the year.

Commissioner Ortiz asked if Alameda CTC requires women-owned businesses to be added to the contract for this effort. Ms. Clevenger stated that this contract includes state funding and it did not fall under the agency's local LBCE policy. She noted that the Prime consultant included many subs that are small and local businesses, as well as women-owned businesses on this contract.

Commissioner Cox moved to approve this item. Commissioner Ezzy Ashcraft seconded the motion. The motion passed with the following roll call votes:

Yes: *Bauters, Carson, Cox, Cutter, Ezzy Ashcraft, Halliday, Hernandez, Kaplan, Nason, Ortiz, Robinson*
No: *None*
Abstain: *None*
Absent: *None*

6. Committee Member Reports

There were no committee reports.

7. Staff Reports

Ms. Lengyel stated that at the end of February, Alameda CTC received a reaffirmation by Fitch Ratings on the agency's AAA rating. She expressed her appreciation to the Commission and Alameda CTC's finance team.

Ms. Lengyel stated that Alameda CTC's partners are implementing Alameda CTC's COVID-quick build program, including projects totaling approximately \$2 million, which must be completed by March 31, 2021.

Ms. Lengyel stated that the week of March 1, 2021, the Safe Routes to Schools Golden Sneaker Contest took place and KPIX station picked up the challenge as well.

Ms. Lengyel mentioned that Alameda CTC has several projects under construction this year valued at over \$500 million and the agency is continuing to move forward with economic recovery and delivery of projects and programs as approved by voters.

8. Adjournment/ Next Meeting

The next meeting is: April 12, 2021 at 11:30 a.m.



Memorandum

4.2

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

DATE: April 5, 2021

TO: Planning, Policy and Legislation Committee

FROM: Chris G. Marks, Associate Transportation Planner

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

Recommendation

This item updates the Commission with a summary of Alameda CTC's review and comments on Environmental Documents and General Plan Amendments. This item is for information only.

Summary

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

Since the last update on March 8, 2021, Alameda CTC reviewed one NOP included as Attachment A.

Fiscal Impact: There is no fiscal impact. This is an information item only.

Attachment:

- A. Response to the Notice of Preparation of a DEIR for the Union City Station District Specific Plan

This page intentionally left blank



March 5, 2021

Carmela Campbell, AICP
 Economic and Community Development Director
 34009 Alvarado-Niles Road
 Union City, CA 94587

SUBJECT: Response to the Notice of Preparation of a Draft Environmental Impact Report for the Union City Station District Specific Plan

Dear Ms. Campbell,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the Union City Station District Specific Plan. The proposed Plan would guide future development on an approximately 470-acre area around the Union City BART station. The planning area is roughly bound by Decoto Road and H Street to the north, 7th street to the east, Alvarado Niles Road to the west, and the Union City-Fremont border to the south. The planning area has four subareas: The Core, Station East, Gateway, and Civic Center.

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

Basis for Congestion Management Program (CMP) Review

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

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP requires local jurisdictions to conduct travel model runs themselves or through a consultant. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request. The most current version of the Alameda CTC Countywide Travel Demand Model was updated in June 2018 to be consistent with the assumptions of Plan Bay Area 2040.

Impacts

- The DEIR should address all potential impacts of the project on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the project area include: I-880, Alvarado Niles Road, and Decoto Rd

- For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts. Note that automobile delay cannot be deemed a significant environmental impact under current CEQA guidelines, however this analysis is required pursuant to the 2019 CMP. This impacts analysis may be included in an EIR appendix or separate document provided to Alameda CTC.
- The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP. Professional judgment should be applied to determine the significance of project impacts (Please see Chapter 6 of the 2019 CMP for more information).
- Please see the changes made to the CMP Land Use Analysis Program made in response to SB743 here: https://www.alamedactc.org/wp-content/uploads/2020/07/Amendment_Land_Use_Analysis_Program_SB743.pdf
- The DEIR should address potential impacts, including both capacity and performance of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include: BART, AC Transit, Union City Transit
 - Transit impacts for consideration include the effects of project vehicle traffic on mixed flow transit operations, transit capacity, transit access/egress, need for future transit service, and consistency with adopted plans. See Appendix J of the 2019 CMP document for more details.
- The DEIR should address potential impacts of the project to people biking and walking in and near the project area, especially nearby roads included in the Countywide High-injury Network and major barriers identified in the [Countywide Active Transportation Plan](#).
 - Impacts to consider on conditions for cyclists include effects of vehicle traffic on cyclist safety and performance, site development and roadway improvements, and consistency with adopted plans. See Appendix J of the 2019 CMP document for more details.

Mitigation Measures

- Alameda CTC's policy regarding mitigation measures is that to be considered adequate they must be:
 - Adequate to sustain CMP roadway and transit service standards;
 - Fully funded; and
 - Consistent with project funding priorities established in the Capital Improvement Program of the CMP, the Countywide Transportation Plan (CTP), and the Regional Transportation Plan (RTP) or the Federal Transportation Improvement Program, if the agency relies on state or federal funds programmed by Alameda CTC.
- The DEIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the DEIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The DEIR should also address the issue of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.

- Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify impacts to automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
- The DEIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered. The Alameda CTC CMP Menu of TDM Measures and TDM Checklist may be useful during the review of the development proposal and analysis of TDM mitigation measures (See Appendices F and G of the 2019 CMP).

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Cath', with a long horizontal flourish extending to the right.

Cathleen Sullivan
Director of Planning

cc: Chris G. Marks, Associate Transportation Planner

This page intentionally left blank



DATE: April 5, 2021

TO: Planning, Policy and Legislation Committee

FROM: Maisha Everhart, Director of Government Affairs and Communications
Krystle Pasco, Associate Program Analyst

SUBJECT: Approve the Professional Services Agreement (A21-0025) with Nelson\Nygaard Consulting Associates for Paratransit Coordination Services

Recommendation

It is recommended that the Commission approve and authorize the Executive Director to execute a Professional Services Agreement (A21-0025) with Nelson\Nygaard Consulting Associates for a negotiated amount, not-to-exceed \$500,000, for an initial two years starting July 1, 2021, with the option to extend for an additional term of three years for a not-to-exceed amount of \$806,361 for a total budget of \$1,306,361.

Summary

In October 2020, a Request for Proposal (RFP) R21-0002 was released for professional services to provide paratransit coordination services. One proposal was received and was determined to be responsive. An independent selection panel composed of Alameda CTC staff and an external partner reviewed the proposal. The panel determined that the Nelson\Nygaard Consulting Associates (Nelson\Nygaard) team was qualified to perform the required services and recommended proceeding with negotiating the terms and conditions of the contract.

Alameda CTC negotiated the contract with the consultant after a thorough review of the submitted cost proposal and comparison to Alameda CTC's independent cost estimate and assumptions. An agreement on anticipated hours to complete the required scope of work, escalations, and direct costs were negotiated. Additionally, the Nelson\Nygaard team has indicated that they will meet or exceed the 70% Local Business Enterprise (LBE) and 30% Small Local Business Enterprise (SLBE) goals.

Staff recommends that the Commission approve and authorize the Executive Director to execute a Professional Services Agreement (A21-0025) with Nelson\Nygaard Consulting Associates for a negotiated amount, not-to-exceed \$500,000 for an initial two years starting

July 1, 2021, with the option to extend for an additional term of three years for a not-to-exceed amount of \$806,361 for a total budget of \$1,306,361.

Background

The Alameda County Transportation Commission (Alameda CTC) contracts on a periodic basis with a number of professional services consultant firms to assist staff in providing a range of general administration services, including, but not limited to, general counsel, media and public relations, outreach, technical assistance, and project and program management. The transportation for seniors and people with disabilities (Paratransit) Program similarly relies on professional services consultant firms to carry out the various programmatic activities noted in the 2000 Measure B and 2014 Measure BB Transportation Expenditure Plans (TEPs) for funding related to transportation for seniors and people with disabilities. The current Paratransit Coordination Services contract is due to expire at the end of the current fiscal year, FY 2020-21.

Alameda CTC has a robust and multi-faceted Paratransit Program that funds and manages a range of services. The 2000 Measure B TEP allocates 10.45 percent of net revenues and the 2014 Measure BB TEP allocates 10 percent of net revenues to the Paratransit Program. Approximately 9 percent of net revenues from each TEP is distributed to agencies on a monthly basis as Direct Local Distribution (DLD) funding for ADA-mandated services and City paratransit programs. The remaining funding is distributed as grants on a discretionary basis as part of the agency's Comprehensive Investment Plan (CIP).

As set forth in the expenditure plans, the Paratransit Advisory and Planning Committee (PAPCO), a 23-member committee of seniors and people with disabilities, is responsible for providing recommendations to the Commission related to all funding for transportation for seniors and people with disabilities. The Paratransit Technical Advisory Committee (ParaTAC), comprised of City and transit operator staff, mostly program sponsors who receive agency funds, also provides input to Alameda CTC staff related to management of direct ADA-mandated services and City paratransit programs. Alameda CTC staff strategically collaborates and coordinates with PAPCO and ParaTAC with the support of the professional services consultant to deliver the full breadth of the paratransit program.

Professional Services Contract

Alameda CTC intends to retain a professional services consultant or consultant team with expertise in the management and oversight of transportation services and programs targeted towards seniors and people with disabilities, including: public meeting facilitation and coordination; administration and coordination of local, regional, state and federal grant funding; outreach and information services; coordination with partner agencies; development and management of countywide initiatives; and technical assistance.

Under the direction of and in close coordination with Alameda CTC staff, this consultant team is responsible for a range of activities. The team coordinates, monitors, conducts

reporting activities, researches, and advises Alameda CTC staff on funding programs for seniors and people with disabilities, including Measure B and Measure BB Paratransit Program funding, and any other local, regional, state and federal funds or funding programs, including the Federal 5310 program. The team is also responsible for facilitating, providing materials for and documenting Paratransit Program meetings (i.e., plans, coordinates, documents, and staffs PAPCO and ParaTAC meetings), as well as meetings with other organizations, as necessary. The team is also responsible for performing technical studies, conducting research on best practices, and other technical assistance to support implementation of the Paratransit Program.

On September 24, 2020, the Commission authorized the release of an RFP and directed staff to proceed with contract procurement activities to obtain a professional services consultant firm to provide paratransit coordination services. RFP 21-0002 was released on October 6, 2020.

One proposal was received and was determined to be responsive. An independent selection panel composed of Alameda CTC staff and an external partner reviewed the proposal. The panel determined that the Nelson\Nygaard team was qualified to perform the required services and recommended proceeding with negotiating the terms and conditions of the contract. The Nelson\Nygaard team has indicated that they will meet or exceed the 70% Local Business Enterprise (LBE) and 30% Small Local Business Enterprise (SLBE) goals.

Based upon the thorough review of Nelson\Nygaard's cost proposal, Alameda CTC's independent cost estimate, and discussions with Nelson\Nygaard, a contract is being negotiated to provide the services necessary to complete the required scope of work to provide paratransit coordination services for an amount not-to-exceed \$500,000 for an initial two years. Staff anticipates that a contract will be ready for execution no later than June 2021.

Staff recommends that the Commission approve and authorize the Executive Director to execute a Professional Services Agreement (A21-0025) with Nelson\Nygaard Consulting Associates for a negotiated amount, not-to-exceed \$500,000 for an initial two years starting July 1, 2021, with the option to extend for an additional term of three years for a not-to-exceed amount of \$806,361 for a total budget of \$1,306,361.

Levine Act Statement: The Nelson\Nygaard Consulting Associates team did not report a conflict in accordance with the Levine Act.

Fiscal Impact: The action will authorize \$1,306,361 of local measure funding for subsequent encumbrance and expenditure. Upon approval, contract funding will be included in the agency's fiscal year budget.

This page intentionally left blank



Memorandum

4.4

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

DATE: April 5, 2020

TO: Planning, Policy and Legislation Committee

FROM: Maisha Everhart, Director of Government Affairs and Communications
Kate Lefkowitz, Associate Transportation Planner

SUBJECT: Approve administrative amendment to Alameda CTC agreement (A16-0027) in support of the Alameda CTC Affordable Student Transit Pass Program (STPP)

Recommendation

It is recommended that the Commission approve the administrative amendment to Alameda CTC agreement (A16-0027) in support of the Alameda CTC Affordable Student Transit Pass Program (STPP). This amendment will extend the schedule to allow the seamless completion of the STPP expansion at all eligible middle and high schools in Alameda County.

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. Alameda CTC also enters into project funding agreements (PFAs) with local agencies for allocated Alameda CTC-discretionary fund sources, including Measure B, Measure BB, Vehicle Registration Fee and Transportation Fund for Clean Air. All agreements are entered into based upon estimated known project needs for scope, cost and schedule.

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

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

Background

Amendments are considered “administrative” if they include only time extensions. For PFAs, the 1st request for a one-year time extension may be approved at the staff-level, but 2nd and subsequent time extensions are brought to the Commission for approval.

Agreements are entered into based upon estimated known project/program needs for scope, cost, and schedule. Throughout the life of a project/program, 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/program delays; and (2) extended phase project/program closeout activities.

Requests are evaluated to ensure that project/program deliverables are not compromised. The administrative amendment request identified in Table A has been evaluated and is recommended for approval.

Levine Act Statement: Nelson\Nygaard Consulting Associates Inc. and subconsultants did not report any conflicts in accordance with the Levine Act.

Fiscal Impact: There are no fiscal impacts associated with the requested actions.

Attachment:

- A. Table A: Administrative Amendment Summary

Table A: Administrative Amendment Summary

Index No.	Firm/Agency	Project/Services	Agreement No.	Contract Amendment History and Requests	Reason Code	Fiscal Impact
1	Nelson\Nygaard Consulting Associates, Inc.	Affordable Student Transit Pass Program	A16-0027	A1: Time extension from 11/30/2019 to 11/30/2020 A2: Modification of insurance requirements provisions of agreement A3: Budget increase and 24-month time extension from 11/30/2020 to 11/30/2022 for Student Transit Pass Program implementation and expansion support A4: Time extension of 12 months from 11/30/2022 to 11/30/2023	2	None

- (1) Project delays.
- (2) Extended phase/project closeout activities.
- (3) Other

This page intentionally left blank



Memorandum

5.1

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

DATE: April 5, 2021

TO: Planning, Policy and Legislation Committee

FROM: Kate Lefkowitz, Associate Transportation Planner

SUBJECT: Affordable Student Transit Pass Program Update

Recommendation

Receive an update on the Affordable Student Transit Pass Program (STPP). This item is for information only.

Summary

This memorandum includes an update on the STPP 2019-2020 evaluation report, program implementation for the current 2020-2021 school year, and STPP program plans for fall 2021. Given the uncertainties for school districts in Alameda County during the COVID-19 pandemic, the STPP has been actively working with schools to support students and families to modify program offerings and proactively prepare for the evolving developments of the school year.

Currently, we are more than halfway through the second year of the expanded program. For this 2020-2021 school year, the STPP has expanded into three new school districts and 21 new schools. The Program now serves 14 school districts and 84 schools within Alameda County. Key programmatic changes that have been implemented due to COVID-19 impacts include the transition to online applications for the STPP.

Background

The 3-year STPP Pilot ended July 31, 2019. The Alameda CTC Commission approved the continuation and expansion of the STPP beyond the pilot period in December 2018. The implementation framework for the expanded program laid out a phased expansion to all school districts in the county over a five-year period. At the end of the phased expansion, over 140 schools and approximately 58,000 students will have access to the program.

2019-20 School Year and Evaluation

In 2019-2020, 27 new schools from returning districts and 14 schools in 4 new school districts joined the program, bringing the program to a total of 62 schools in 11 school districts.

About 42 percent of all eligible students applied for a free bus pass; by March 2020, over 13,500 students signed up for the program. Participation rates varied from about 14 percent to 83 percent between school districts. As in the program's pilot years, this variation in participation across school districts is likely due to multiple factors, including differences in transit service coverage and quality, demographics, land use, and urban form throughout the county.

During the portion of the 2019-2020 school year for which Clipper data is available (August-March), participating students took over 800,000 bus trips. Most bus boardings were on AC Transit (about 730,000 or 89 percent). Almost 67,000 boardings (about 8 percent) were on LAVTA/Wheels, and approximately 21,500 boardings (about 3 percent) were on Union City Transit. During the core months of the school year (November-February), participating students took an average of 11 bus trips per month.

The full evaluation report on ridership and participation for the 2019-2020 school year is available on the [STPP website](#).

2020-21 School Year: COVID-19 Impacts and Program Measures

A total of 14 school districts and 84 schools are participating in the STPP for the current 2020-2021 school year. To successfully implement the STPP, school site administrators (school staff) have been identified at the majority of schools to help promote the STPP to students, families, and staff via available channels within the designated school.

Alameda CTC staff, AC Transit, LAVTA and Union City Transit coordinate closely with each other and our school site administrators to ensure the program is implemented effectively and STPP protocols are met at each school. All three transit agency partners have been instrumental in the robust launch of the STPP in fall 2020. Staff would like to recognize the hard work from transit agency partners that went into the implementation of the program for the 2020/2021 school year.

In light of COVID-19, and the uncertainties that are presented for the current school year with all schools beginning the school year with remote learning, the STPP team introduced an online STPP application to ensure that program benefits reach students and families quickly. Applications have been submitted on a weekly basis by students and families since the beginning of the program launch. Currently, over 2,200 students have submitted applications throughout Alameda County. STPP cards are being generated by our transit agency partners on a weekly basis and mailed to school sites for dedicated school staff to distribute to students.

Table 1 shows the 14 school districts that are participating in the program.

Table 1 2020-2021 STPP Participating School Districts

Planning Area	School District	Model	# Qualifying Schools	All vs. Subset
North/ Central	Alameda Co. Office of Ed.	Free/Universal	5	All
North	Alameda USD	Means-Based/Free	3	Subset
North	Berkeley USD	Means-Based/Free	3	Subset
North	Emery USD	Free/Universal	2	All
North	Oakland USD	Free/Universal	18	Subset
North	Castro Valley USD	Means-Based/Free	4	All
Central	Hayward USD	Means-Based/Free	9	All
Central	San Leandro USD	Means-Based/Free	4	All
Central	San Lorenzo	Means-Based/Free	7	All
South	Fremont USD	Means-Based/Free	5	Subset
South	New Haven USD	Means-Based/Free	5	All
South	Newark USD	Means-Based/Free	4	All
East	Livermore USD	Free/Universal	9	All
East	Pleasanton USD	Means-Based/Free	6	All
Grand Total*	14 Districts		84	

*Dublin USD is part of the Commission-approved program but deferred launching the program due to COVID-19. It is anticipated Dublin USD will participate in the 2021-22 school year, as previously approved by the Commission.

Finally, the STPP team has been working closely with our transit agency partners (AC Transit, LAVTA and Union City Transit) to ensure program implementation is coordinated and seamless. This will allow students to already have cards on hand should schools transition to on-campus learning. Alameda CTC continues to actively monitor our partner transit agencies' service levels, bus crowding due to capacity constraints, and financial situations, which are likely to impact the program.

2021-2022 School Year Plan

As a result of significant COVID-19 impacts on school districts and transit agencies in Alameda County, the STPP team recommends continuing the program as previously approved and not expanding to new schools in fall 2021. This provides continuity for currently participating school districts and will allow close coordination with the transit agencies and schools as we monitor program implementation in an uncertain environment.

Comprehensive outreach at all STPP schools and coordination with transit agency partners will continue through fall 2021 to ensure processes are seamless and flexible while students

return to in-person learning. Key coordination efforts include working with transit agency partners to inform schools of COVID-19 safety protocols while using transit as schools reopen in fall 2021.

The STPP team will continue to implement the Commission-approved program and look to expand to the remaining 56+ eligible schools in the county by 2023/2024. An update on any future expansions would come before the Commission in 2022.

Fiscal Impact: There is no fiscal impact. This is an information item only.



Memorandum

5.2

1111 Broadway, Suite 800, Oakland, CA 94607 • 510.208.7400 • www.AlamedaCTC.org

DATE: April 5, 2021

TO: Planning, Policy and Legislation Committee

FROM: Vivek Bhat, Director of Programming and Project Controls
Jacki Taylor, Senior Program Analyst

SUBJECT: Approve the State Transit Assistance (STA) County Block Grant Program Distribution Formula for Fiscal Years 2021-22 and 2022-23

Recommendation

It is recommended the Commission approve Resolution 21-008 (Attachment A), regarding the Alameda County State Transit Assistance (STA) Block Grant Program and funding distribution formula for Fiscal Years (FYs) 2021-22 and 2022-23.

Summary

STA is the State's flexible transit funding program which may be used for capital or operating purposes and is an important source of transit funding. Traditionally, MTC has directed its share of STA to transit operators through various discretionary and formula-based programs. Starting in FY 2018-19 MTC changed the way it distributes a portion of its STA funding, directing it to the region's County Transportation Agencies through a new STA County Block Grant Program (Program). The county-level programs, identifying the total Program funding by operator, are due annually to MTC by May 1st. For FYs 2021-22 and 2022-23, staff is recommending a continuation of the same program structure approved since 2018-19, with an update to the Means-based/Lifeline Transportation category to update the funding distribution by operator percentages. The updates reflect the latest estimated participation by operator for the Affordable Student Transit Pass Program and updated survey data from MTC. The overall formula distribution of the FY 2021-22 STA Block Grant fund estimate for all Program categories is detailed in Attachment B.

Background

The statewide STA program is split equally between a Revenue-based program (Public Utilities Code 99314) and a Population-based program (Public Utilities Code 99313). The Revenue-Based program distributes funds directly to transit operators based on each transit operator's share of statewide qualifying revenues used for transit operations, while

the Population-Based program distributes funds to the State's regional transportation planning agencies, including MTC, based on their share of California's population.

On February 28, 2018, MTC approved Resolution 4321 which established a new policy for the distribution of STA Population-Based funds in the nine-county Bay Area region. Under MTC Resolution 4321, County Transportation Agencies are charged with playing a coordinating role in the development of a STA Population-Based distribution program within their county. MTC Resolution 4321 replaced MTC Resolution 3837 with a new transit-focused, One Bay Area Grant (OBAG)-style STA County Block Grant for 70 percent of the STA Population-Based funds received by MTC, with the remaining 30 percent directed towards MTC's Regional STA Program. MTC Resolution 4321 includes several policy conditions for the STA County Block Grant Program: small and north county operator minimum shares, mobility management program requirements, MTC approval for STA fund exchanges, coordinated claim process, submission deadline, performance measures, and annual reporting requirements.

Additionally, through SB1, the level of STA funding generated was raised by an increase in the diesel sales tax rate of 3.5 percent. These funds augmented the existing STA program and comprise roughly 50% of the total STA funding now directed by MTC to the STA County Block Grant Program.

Alameda County's STA Block Grant Program

Now in its fourth year, MTC's STA County Block Grant Program allows each county to determine how best to invest in transit operating needs, including paratransit and lifeline transit services. Each county's share of the STA County Block Grant Program is based on a county's total share of each of the three program categories in MTC's original STA Resolution 3837 formula: Northern Counties/Small Operators Program, Regional Paratransit Program, and the Lifeline Transportation Program. Alameda County's total share of MTC's fund estimate for the STA County Block Grant Program is 17.68%. The STA revenue estimates can vary widely from the actual revenue received, so MTC requires the County Block Grant Programs to identify a total percentage of funding by operator.

In April 2018, the Commission approved directing the annual STA Block Grant funds to three distinct STA Block Grant program categories, Small Operator Guarantee (24%), Regional Paratransit/ Mobility Management (25%) and Means-based/Lifeline Transportation (51%). For the Small Operator Guarantee and Regional Paratransit/Mobility Management categories, the approved funding distribution by operator remained consistent with the level of funding these operators received previously under the corresponding categories of MTC's prior STA program. For the Lifeline/Means-based category, half of the funds were directed towards the Alameda County Affordable Student Transit Pass Program (STPP), and half are directed by formula to transit operators for Lifeline projects serving MTC-defined Communities of Concern (COCs) or other disadvantaged communities. In summary:

- Small Operator Guarantee (24% of total program)
 - MTC's STA County Block Grant program requires the continuation of the small operator guarantee and sets the minimum for Alameda County at 24% of total funds, consistent with MTC's prior program,
- Regional Paratransit/Mobility Management (25% of total program),
 - Alameda County's program continues provision of STA funds for ADA-mandated service consistent with MTC's prior program.
- Lifeline/Means-based Program (51% of total program); which is further divided into two sub-categories, as follows:
 - 50% to Affordable Student Transit Pass Program (STPP) (25.5% of total program)
 - Distribution is based on operators' estimated share of ASTPP program participation.
 - The STA funds are intended to augment the Measure BB funding identified in the MBB Expenditure Plan for this program, extending the life of the program.
 - 50% to Lifeline Transportation Program (LTP) (25.5% of total program)
 - Distribution is based on share of low-income ridership.
 - Operators to use funds for Lifeline transit service and capital projects serving communities of concern and other disadvantaged communities.

Funding Distribution for FYs 2021-22 and 2022-23

For FYs 2021-22 and 2022-23, no changes are proposed to the Program's established categories or to the percentage of total funding distributed to each category. Within the Means-based/Lifeline category (51% of funds), an update is proposed to the Lifeline Transportation sub-category, which distributes funding based on by an operator's share of the county's low-income ridership, as identified by MTC onboard rider surveys. MTC has released new survey data since the last time the STA block grant distribution formula was adopted in 2019 and the percentage of funds by operator has been updated accordingly. The update received this year includes data from surveys completed during 2016-2018.

Per MTC's initial FY 2021-22 STA Fund Estimate, adopted February 2021, Alameda County's estimated new revenue for the STA Block Grant is \$ 6,630,338. This estimate may change depending on the actual STA revenue generated. Attachment B applies the distribution formula to the FY 2021-22 STA Block Grant estimated revenue and identifies each transit operators total share of STA Block Grant funding. For FY 2022-23 revenue, the proposed distribution formula will be applied to the estimated Program revenue once MTC releases its FY 2022-23 STA Fund Estimate, anticipated February 2022.

Alameda CTC is to report changes in operators' shares to MTC by May 1st of each year. The prior STA Block Grant Program distribution formula was approved for a two-year period and it's proposed that updates to the distribution formula continue on a two-year cycle and where possible be coordinated with the adoption of the biennial Comprehensive Investment Plan (CIP), when programming schedules align.

Next Steps

An approved STA Block Grant resolution establishing the distribution percentages by operator for FYs 2021-22 and 2022-23 is due to MTC by May 1, 2021. Transit operators will have additional time in late spring/early summer to submit the required FY 2021-22 STA funding claims to MTC and identify projects for each program category. Alameda CTC will continue to coordinate with transit operators and MTC to fulfill the required program reporting.

Fiscal Impact: There is no fiscal impact associated with the requested action. Transit operators will work directly with MTC to access the identified STA funding.

Attachments:

- A. Alameda CTC Resolution 21-008, Alameda County STA Block Grant Program
- B. Alameda County STA Block Grant Program Distribution Formula Detail

**Commission Chair**

Mayor Pauline Russo Cutter
City of San Leandro

Commission Vice Chair

Councilmember John Bauters
City of Emeryville

AC Transit

Board President Elsa Ortiz

Alameda County

Supervisor David Haubert, District 1
Supervisor Richard Valle, District 2
Supervisor Wilma Chan, District 3
Supervisor Nate Miley, District 4
Supervisor Keith Carson, District 5

BART

Vice President Rebecca Saltzman

City of Alameda

Mayor Marilyn Ezzy Ashcraft

City of Albany

Councilmember Rochelle Nason

City of Berkeley

Councilmember Lori Droste

City of Dublin

Melissa Hernandez, Mayor

City of Fremont

Mayor Lily Mei

City of Hayward

Mayor Barbara Halliday

City of Livermore

Mayor Bob Woerner

City of Newark

Councilmember Luis Freitas

City of Oakland

Councilmember At-Large
Rebecca Kaplan
Councilmember Sheng Thao

City of Piedmont

Councilmember Jen Cavanaugh

City of Pleasanton

Mayor Karla Brown

City of Union City

Mayor Carol Dutra-Vernaci

Executive Director

Tess Lengyel

ALAMEDA COUNTY TRANSPORTATION COMMISSION RESOLUTION 21-008

Approval of the Distribution Formula for Alameda County's STA County Block Grant Program Fiscal Years 2021-22 and 2022-23

WHEREAS, Metropolitan Transportation Commission (MTC) is the Metropolitan Planning Organization (MPO) and Regional Transportation Planning Authority (RTPA) for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a new policy framework for the distribution and use of State Transit Assistance (STA) Population-Based (Public Utilities Code § 99313) funds in the MTC region (MTC Resolution No. 4321); and

WHEREAS, MTC Resolution 4321 reserves 70 percent of MTC's STA Population-Based funding for a new transit-focused, OBAG-style STA County Block Grant Program that is to be administered by the region's Congestion Management Agencies (CMAs); and

WHEREAS, MTC Resolution 4321 established the percentage of the funds reserved for the STA County Block Grant Program that each CMA is to receive and identified 17.68 percent as Alameda County's share of funding; and

WHEREAS, MTC requires each CMA to submit annually by May 1st, a proposed distribution of STA County Block Grant Program funding to STA-eligible transit operators in the county, as a percentage of the county's total STA share; and

WHEREAS, MTC annually adopts the region's Fund Estimate for STA Population-Based (Public Utilities Code § 99313) funds, which estimates the total funding available for the STA County Block Grant Program.

WHEREAS, Alameda CTC's 2014 Transportation Expenditure Plan includes funding for an Affordable Student Transit Pass Program (ASTPP). Alameda CTC is responsible for seeking and securing funding to expand the program. STA County Block Grant funds for the ASTPP will supplement and not displace any Measure BB funds. Funding for the ASTPP will not be backfilled with STA funds and transit operators are not responsible for funding additional needs of the ASTPP.

WHEREAS, in April 2018, the Alameda CTC adopted Resolution 18-004, establishing Alameda County's STA Block Grant Program with a distribution formula which annually directs 24% of the funds to Small Operators, 25% to Regional Paratransit, 51% to Lifeline/Mean-based category, as follows: 50% (i.e., 25.5% of total funds) each to Lifeline projects and the Affordable Student Transit Pass Program.

NOW, THEREFORE BE IT RESOLVED, the Alameda CTC will continue to administer Alameda County's STA County Block Grant Program in accordance with MTC Resolution 4321.

BE IT FURTHER RESOLVED, the Alameda CTC approves the Distribution Formula for Alameda County's STA County Block Grant Program, for FYs 2021-22 and 2022-23, as detailed in Exhibit A.

DULY PASSED AND ADOPTED by the Alameda CTC Commission at the regular Commission meeting held on Thursday, April 22, 2021 in Oakland, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Pauline Russo Cutter
Chair, Alameda CTC

Vanessa Lee
Clerk of the Commission

EXHIBIT A

Alameda County STA Block Grant Program - Funding Distribution		
<u>Program Category</u>	<u>% of STA Program</u>	<u>% of Category</u>
Small Operator Guarantee	24%	100%
LAVTA		74%
Union City Transit		26%
Regional Paratransit / Mobility Management	25%	100%
AC Transit (For East Bay Paratransit Service)		91%
LAVTA		5%
Union City Transit		4%
Lifeline / Means-based Program	51%	100%
Affordable Student Transit Pass Program:	25.5%	50% of Category, as follows:
AC Transit		88%
BART (not currently participating in the ASTPP)		0%
LAVTA		8%
Union City Transit		4%
Lifeline Transportation Program:	25.5%	50% of Category, as follows:
AC Transit		59%
BART		38%
LAVTA		2%
Union City Transit		1%
Total STA Funding Distribution	100%	

This page intentionally left blank

STA County Block Grant Funding Distribution for Alameda County
PROPOSED Funding Distribution Formula for FYs 2021-22 & 2022-23, April 2021

Alameda County Share of FY 2021-22 STA Fund Estimate ¹ **\$ 6,630,338**

Program Categories and Operators	% of Total Program	\$ by Category & Operator	% of Category
Small Operator Guarantee²	24%	\$ 1,591,281	100%
LAVTA		\$ 1,177,548	74%
Union City Transit		\$ 413,733	26%
Regional Paratransit / Mobility Management²	25%	\$ 1,657,585	100%
AC Transit (For East Bay Paratransit Service)		\$ 1,511,717	91%
LAVTA		\$ 87,852	5%
Union City Transit		\$ 58,015	4%
Lifeline/Means-based Program (50% reserved for STPP; 50% to Lifeline Program)	51%	\$ 3,381,472	100%
Affordable Student Transit Pass Program (STPP)^{3,4}	25.5%	\$ 1,690,736	50%
AC Transit		\$ 1,487,848	88%
BART (not currently participating in STPP)		\$ -	0%
LAVTA		\$ 135,259	8%
Union City Transit		\$ 67,629	4%
Lifeline Program^{5,6}	25.5%	\$ 1,690,736	50%
AC Transit		\$ 997,534	59%
BART		\$ 642,480	38%
LAVTA		\$ 33,815	2%
Union City Transit		\$ 16,907	1%
Total STA Fund Distribution	100%	\$ 6,630,338	

Proposed Total by Operator, FYs 2021-22 & 2022-23		
Transit Agency	\$ FY 2021-22 ¹	% Total
AC Transit	\$ 3,997,099	60.29%
BART	\$ 642,480	9.69%
LAVTA	\$ 1,434,474	21.64%
UC Transit	\$ 556,285	8.39%
Total	\$ 6,630,338	100%

Notes:

- Source: STA County Block Grant Program FY 2021-22 Estimated New Revenue, MTC Draft FY 2021-22 Fund Estimate, Resolution 4450, released February 2021. Alameda County's share is 17.68%.
- Small Operator shares per MTC Resolution 4450; Regional Paratransit shares by operator are consistent with MTC's prior STA distribution formula for these funds.
- Sets aside 50% of the Lifeline/Means-based program category for the Affordable Student Transit Pass Program (STPP).
- Formula Distribution to Operators for STPP is based on estimated STPP participation for 2021-22.
- Sets aside 50% of the Lifeline/Means-based program category for the Lifeline Program.
- Formula Distribution to Operators for Lifeline is based on operators' share of low income ridership; Source: MTC compiled survey data, 2016-2018.

This page intentionally left blank



Memorandum

5.3

1111 Broadway, Suite 800, Oakland, CA 94607 • 510.208.7400 • www.AlamedaCTC.org

DATE: April 5, 2021

TO: Planning, Policy and Legislation Committee

FROM: Carolyn Clevenger, Deputy Executive Director of Planning and Policy
Maisha Everhart, Director of Government Affairs and Communications

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

Recommendation

This item is to provide the Commission with an update on federal, state, regional, and local legislative activities. Staff recommends the Commission approve positions on five bills, as detailed in Table 1.

Background

The Commission approved the 2021 Legislative Program in January 2021. The purpose of the legislative program is to establish funding, regulatory, and administrative principles to guide Alameda CTC's legislative advocacy.

Each month, staff brings updates to the Commission on legislative issues related to the adopted legislative program, including recommended positions on bills as well as legislative and policy updates. Attachment A is the Alameda CTC 2021 adopted Legislative Program.

Federal Update

On March 11, 2021, President Biden signed into law the American Rescue Plan. Specific highlights of note for the Commission include approximately \$30 billion in much-needed aid for transit providers, as well as \$362.5 billion in direct state and local assistance. The Biden Administration is developing a "Build Back Better" plan, which will help lay the foundation for a large infrastructure package to pass before the end of the year. Meetings are being scheduled with members of the Biden Administration and federal delegation in the Spring.

Discussions are underway regarding two requests from Congress for nominations for Congressionally directed funding (earmarks). Alameda CTC is coordinating closely with local partners, MTC and Caltrans regarding potential earmark requests. Individual members of Congress are in the process of releasing guidelines with

requests due in the first half of April. Projects and programs Alameda CTC submitted for consideration were based on key priorities in the 2021 Legislative Program, focused on safety, multimodal improvements, and emissions reduction. In addition, requests were based on guidance regarding estimated level of funding available and spending deadlines associated with the earmarks. The process is extremely dynamic, and staff will provide an update to the Commission at its April meeting. Projects under consideration for submittal by Alameda CTC include:

- Safe Routes to Schools Program
- San Pablo Avenue Near-term Safety Improvements
- Clean Vehicles Implementation
- Strategy to Advance Hydrogen Fuel Cell Technologies and Support the Green Economy
- Rail Safety Enhancement Program
- Oakland/Alameda Access Project
- I-880 Interchanges supporting goods movement: Whipple/Industrial Parkway Southwest and Industrial Parkway West
- Bay Bridge Forward (co-sponsored with the Metropolitan Transportation Commission)

In addition, Alameda CTC submitted letters of support to partner agencies.

State Update

The state legislature reconvened on January 11, 2021. The deadline for bills to be introduced was February 19, 2021. Our core priorities will continue to focus on securing capital and operating funding to ensure delivery of projects and programs throughout the county and support our transit agencies in the current Covid-19 pandemic. In addition, we will prioritize issues including: safety, multimodal transportation, climate, and COVID-19 relief.

Based on discussions at previous Committee and Commission meetings, and per the adopted 2021 Legislative Program, the following bills are recommended for the Commission to take a position. Staff will continue to monitor and bring forward additional bills as the legislative session progresses.

Table 1. Recommended Bill Positions

Bill Number	Bill Information	Analysis	Recommended Position
<u>AB 43</u> <u>(Friedman D)</u> Traffic safety.	Current law establishes various default speed limits for vehicles upon highways. Current law authorizes state and local authorities to adjust these default speed limits based upon certain findings	AB 43 will support the Commission’s goal of enhancing transportation safety by allowing Caltrans to convene a committee to enhance safety designs. This legislation will support	Support

	<p>determined by an engineering and traffic survey. Current law defines an engineering and traffic survey and prescribes specified factors that must be included in the survey, including prevailing speeds and road conditions. This bill would require local authorities to consider other factors, including pedestrian and bicycle safety, that are allowed but not required to be considered under existing law. The bill would also allow local authorities to consider additional factors, including the current or immediately prior speed limit, as specified. (Amended: 3/22/2021)</p>	<p>investments in active transportation, including improved safety, and advance Vision Zero strategies to reduce speeds and protect communities. Specifically, this bill would allow local flexibility to set safer speed limits, , and require pedestrian and bicycle safety to be considered when setting speed limits, which aligns with the Countywide Transportation Plan and the 2021 Legislative Program goals for advancing safety.</p>	
<p>AB 455 (Bonta D)</p> <p>Bay Bridge Fast Forward Program.</p>	<p>AB 455 focuses on prioritizing transit on the Bay Bridge corridor and would provide authority to the Bay Area Toll Authority, in consultation with Caltrans, to designate transit-only traffic lanes on the Bay Bridge. The bill also notes the Legislature's intent that tolls, vehicle occupancy improvements, and capital investment priorities are established in order to achieve fast and reliable bus transit within the corridor. (Amended: 3/25/2021)</p>	<p>The 2021 Legislative Program supports efforts to increase transit priority throughout the transportation system. Alameda CTC is working in partnership with MTC on delivery of the Bay Bridge Forward suite of near-term projects to improve bus reliability and speed on the approaches to the bridge. Potential amendments would focus on streamlining project development for the Bay Bridge Forward program to advance transit priority on the Bay Bridge corridor.</p>	<p>Support and seek amendments</p>
<p>AB 550 (Chiu D)</p> <p>Vehicles: speed safety system pilot program.</p>	<p>This bill would develop and adopt guidelines for the implementation of pilot programs that, in the judgment of the secretary, are designed to promote the safe operation of vehicles and the reduction of speed-related fatalities and injuries by authorizing the limited use of speed safety systems, as defined.</p>	<p>The 2021 Legislative Program calls for the support of legislation that enhances transportation safety. This legislation will support efforts to enable pilot programs that include automated speed enforcement to reduce speed related fatalities.</p>	<p>Support</p>
<p>AB 917 (Bloom D)</p>	<p>This bill would provide that a public transit operator, as</p>	<p>The 2021 Legislative Program calls for the expansion of</p>	<p>Support</p>

Vehicles: video imaging of parking violations.	defined in Section 99210 of the Public Utilities Code, may install automated forward-facing parking control devices on city-owned or district-owned public transit vehicles, as defined by Section 99211 of the Public Utilities Code, for the purpose of video imaging of parking violations occurring in transit-only traffic lanes.	multimodal systems, shared mobility and safety and advance equity. It specifically supports efforts to allow automated parking enforcement of parking or stopping in bus stops. This bill would allow transit operators to use cameras to collect images of parking violations to ensure that buses have increased access to bus stops and transit only lanes.	
<u>SB 1122 (Skinner D)</u>	Senate Bill 1122 clarifies that the California Public Utilities Commission, Air Resources Board, and Energy Commission should consider green electrolytic hydrogen in any plans developed to help California reach 100% zero carbon electricity by 2045.	SB 1122 will support the Commission's legislative goal of addressing climate change and technology. Specifically, this legislation will support emerging technologies such as alternative fuels including hydrogen and technology to reduce GHG emissions.	Support

Climate Action Plan for Transportation Infrastructure

The California State Transportation Agency (CalSTA) is leading development of the Climate Action Plan for Transportation Infrastructure (CAPTI). The plan details how the state recommends investing billions of discretionary transportation dollars annually to aggressively combat and adapt to climate change while supporting public health, safety and equity. CAPTI builds on executive orders signed by Governor Gavin Newsom in 2019 and 2020 targeted at reducing greenhouse gas (GHG) emissions in transportation, which account for more than 40 percent of all polluting emissions, to reach the state's ambitious climate goals.

The [Draft Plan](#) was released in March, with comments due on May 4th. CalSTA expects to adopt a final version no later than July 15, 2021, followed by submission to the Legislature and Governor in July.

The draft investment framework includes a focus on many policy elements that are consistent with our 2020 Countywide Transportation Plan and Commission priorities. The Guiding Principles included in the Draft Plan are to deploy the State's transportation infrastructure investments to create new clean transportation options for all Californians as well as for goods movement by:

- Building toward an integrated statewide rail and transit network
 - Investing in networks of safe and accessible bicycle and pedestrian infrastructure
 - Including investments in light, medium, and heavy-duty zero-emission vehicle (ZEV) infrastructure
- Strengthening our commitment to social and racial equity by

reducing public health and economic harms and maximizing community benefits

- Making safety improvements to reduce fatalities and severe injuries of all users towards zero
- Assessing physical climate risk
- Promoting projects that do not significantly increase passenger vehicle travel
- Promoting compact infill development while protecting residents and businesses from displacement
- Developing a zero-emission freight transportation system
- Protecting natural and working lands

The Draft Plan also identifies seven strategies for the state to pursue to help advance a slate of projects that meet climate goals, ensure that these projects are prioritized for state funding, and promote project construction and operations that minimize emissions and impacts from climate change.

1. Cultivate and Accelerate Sustainable Transportation Innovation by Leading with State Investments
2. Support a Robust Economic Recovery by Revitalizing Transit, Supporting ZEV Deployment, and Expanding Active Transportation Investments
3. Elevate Community Voices in How We Plan and Fund Transportation Projects
4. Advance State Transportation Leadership on Climate and Equity through Improved Planning & Project Partnerships
5. Support Climate Resilience through Transportation System Improvements and Protections for Natural and Working Lands
6. Support Local and Regional Innovation to Advance Sustainable Mobility
7. Strengthen Transportation-Land Use Connections

The Guiding Principles and Strategies will serve as the framework for transportation funding programs that state agencies play a role in, totaling over \$5 billion of transportation funding each year. This includes competitive programs funded by SB 1, such as the Active Transportation Program and Solutions for Congested Corridors, as well as the SHOPP and the state's major competitive goods movement and transit funding programs. Going forward, new guidelines will be developed for each individual program following the normal guideline development process of the relevant agency.

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

Attachment:

- A. Alameda CTC 2021 Legislative Program

This page intentionally left blank



2021 Alameda County Transportation Commission Legislative Program

1111 Broadway, Suite 800, Oakland, CA 94607
 510.208.7400
www.AlamedaCTC.org

The legislative program herein supports Alameda CTC's transportation vision below adopted for the 2020 Countywide Transportation Plan:

"Alameda County residents, businesses and visitors 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 measurable performance indicators. Our transportation system will be:

- *Accessible, Affordable and Equitable – Improve and expand connected multimodal choices that are available for people of all abilities, affordable to all income levels.*
- *Safe, Healthy and Sustainable – Create safe facilities to walk, bike and access public transportation to promote healthy outcomes and support strategies that reduce adverse impacts of pollutants and greenhouse gas emissions by reducing reliance on single-occupant vehicles.*
- *High Quality and Modern Infrastructure – Upgrade infrastructure such that the system is of a high quality, is well-maintained, resilient and maximizes the benefits of new technologies for the public.*
- *Economic Vitality – Support the growth of Alameda County's economy and vibrancy of local communities through an integrated, reliable, efficient, cost-effective and high-capacity transportation system."*

Issue	Priority	Strategy Concepts
Transportation Funding	Increase transportation funding	<ul style="list-style-type: none"> • Seek COVID-19 state and federal recovery and operations funding and waive federal cost sharing requirements for transit. • Support means-based fare programs while being fiscally responsible. • Leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County through grants and partnerships with regional, state and federal agencies. • Oppose efforts to repeal transportation revenue streams enacted through SB1. • Support efforts that protect against transportation funding diversions. • Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures. • Support the implementation of more stable and equitable long-term funding sources for transportation. • Ensure fair share of sales tax allocations from new laws and regulations. • Seek, acquire, accept and implement grants to advance project and program delivery.
	Protect and enhance voter-approved funding	<ul style="list-style-type: none"> • Support legislative efforts that increase funding from new and/or flexible funding sources to Alameda County for operating, maintaining, restoring, and improving transportation infrastructure and operations. • Support efforts that give priority funding to voter-approved measures and oppose those that negatively affect the ability to implement voter-approved measures. • Support efforts that streamline financing and delivery of transportation projects and programs. • Support rewarding Self-Help Counties and states that provide significant transportation funding into transportation systems. • Support statewide principles for federal surface transportation reauthorization and/or infrastructure bills that expand funding and delivery opportunities for Alameda County.

Multimodal Transportation, Land Use, Safety and Equity	Expand multimodal systems, shared mobility and safety and advance equity	<ul style="list-style-type: none"> • Support policies that provide increased flexibility for transportation service delivery through programs that address the needs of commuters, youth, seniors, people with disabilities and low-incomes, and do not create unfunded mandates. • Support policies that enable shared mobility innovations while protecting the public interest, including allowing shared and detailed data (such as data from transportation network companies and app based carpooling companies) that could be used for transportation and land use planning and operational purposes while ensuring privacy is protected. • Support efforts to allow automated parking enforcement of parking or stopping in bus stops. • Support policies that enhance equity and transportation access. • Support means-based fare programs while being fiscally responsible. • Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education; and address parking placard abuse. • Support parity in pre-tax fringe benefits for public transit, carpooling, and vanpooling and other modes with parking. • Support legislation to modernize the Congestion Management Program, supporting the linkage between transportation, housing, and multi-modal performance monitoring. • Support efforts to increase transit priority throughout the transportation system, such as on freeway corridors and bridges serving the county including express bus on shoulder opportunities. • Ensure that Alameda County needs are included in and prioritized in regional, state and federal planning and funding processes. • Engage in legislation and regulation of new/shared mobility technology with the goal of accelerating their safety, accessibility, mobility, environmental, equity, economic and workforce benefits, including opportunities to increase access to transit and reduce the share of single-occupancy vehicle trips. • Support policies that enhance Bay Area goods movement and passenger rail planning, funding, delivery and advocacy that enhance the economy, local communities, and the environment. • Support advocacy of cooperation and partnership with railroads to advance projects, with a particular interest in rail safety projects.
	Enhance Transportation Safety	<ul style="list-style-type: none"> • Support investments in active transportation, including for improved safety and advance Vision Zero strategies to reduce speeds and protect communities. • Support allowing cities the discretion to use more effective methods of speed enforcement within their jurisdictions. • Support efforts to enable automated speed enforcement. • Allow local flexibility to set safer speed limits (thereby getting rid of the 85th percentile rule). • Regulate navigation apps from directing regional commute traffic onto local neighborhood streets as a bypass for freeway traffic congestion.
Climate Change and Technology	Support climate change legislation and technologies to reduce greenhouse gas (GHG) emissions	<ul style="list-style-type: none"> • Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including transitioning to zero emission transit fleets and trucks consistent with and supportive of Governor Newsome's Executive order N-79-20. • Support rewarding Self-Help Counties with cap-and-trade funds for projects and programs that are partially locally funded and reduce GHG emissions. • Support emerging technologies such as alternative fuels and technology to reduce GHG emissions. • Support efforts to address sea level rise adaptation including planning, funding and implementation support. • Support legislation and policies to facilitate deployment of connected and autonomous vehicles in Alameda County, including data sharing that will enable long-term planning. • Support the expansion of zero emissions vehicle charging stations and station infrastructure for buses. • Support for safer vehicles and telecommuting.

		<ul style="list-style-type: none"> • Support efforts that ensure Alameda County jurisdictions are eligible for state funding related to the definition of disadvantaged communities used in state screening tools. • Support efforts to increase transit priority throughout the transportation system, such as on arterials, freeway corridors and bridges serving the County.
Project Delivery and Operations	Advance innovative project delivery	<ul style="list-style-type: none"> • Support environmental streamlining and expedited project delivery, including contracting flexibility and innovative project delivery methods.
	Ensure cost-effective project delivery	<ul style="list-style-type: none"> • Support efforts that reduce project and program implementation costs. • Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforce training programs.
	Protect the efficiency of managed lanes	<ul style="list-style-type: none"> • Support expanded opportunities for HOV/managed lane policies that protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement. • Support innovation and managed delivery of lane conversions. • Support high-occupancy vehicle (HOV)/express lane expansion in Alameda County and the Bay Area, and efforts that promote effective and efficient lane implementation and operations. • Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.
	Reduce barriers to the implementation of transportation and land use investments	<ul style="list-style-type: none"> • Support legislation that increases flexibility and reduces barriers for infrastructure improvements that support the linkage between transportation, housing and jobs. • Support local flexibility and decision-making regarding land-uses for transit-oriented development (TOD) and priority development areas (PDAs). • Support funding and partnership leveraging opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.
Partnerships	Expand partnerships at the local, regional, state and federal levels	<ul style="list-style-type: none"> • Support efforts that encourage regional and mega-regional cooperation and coordination to develop, promote, and fund solutions to regional and interregional transportation problems and support governmental efficiencies and cost savings. • Partner to increase transportation funding for Alameda CTC's multiple projects and programs and to support local jobs.

This page intentionally left blank