



Alameda County Transportation Commission

Thursday, February 24, 2022 2:00 p.m.

Pursuant to AB 361 and the findings made by the Commission governing its meetings and the meetings of its Committees in light of the current statewide State of Emergency, the Commission and its Committees will not be convening at Alameda CTC's Commission Room but will instead convene remote meetings.

Members of the public wishing to submit a public comment may do so by emailing the Clerk of the Commission at vlee@alamedactc.org. Public comments received by 5:00 p.m. the day before the scheduled meeting will be distributed to Commissioners or Committee members before the meeting and posted on Alameda CTC's website; comments submitted after that time will be distributed to Commissioners or Committee members and posted as soon as possible. Submitted comments will be read aloud to the Commission or Committee 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.

Chair: John Bauters,
Mayor City of Emeryville
Vice Chair: Elsa Ortiz,
AC Transit Board President

Executive Director: Tess Lengyel
Clerk of the Commission: [Vanessa Lee](#)

Location Information:

Virtual Meeting Information: <https://us06web.zoom.us/j/84913728347?pwd=aS8ySGRwbmdKOUNCYkZqWDZmZmt1dz09>
Webinar ID: 849 1372 8347
Password: 158306

For Public Access Dial-in Information: 1 (669) 900 6833
Webinar ID: 849 1372 8347
Password: 158306

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: vlee@alamedactc.org

Meeting Agenda

1. Call to Order

2. Roll Call

3. Public Comment

4. Chair and Vice Chair Report

5. Executive Director Report

6. Consent Calendar Page/Action

Alameda CTC standing committees approved all action items on the consent calendar, except Item 6.1 and 6.8.

- | | | |
|--|----|-----|
| 6.1. Approve January 27, 2022 Commission Meeting Minutes | 1 | A |
| 6.2. Approve Transportation Fund for Clean Air (TFCA) FY 2022-23 Expenditure Plan Application | 5 | A |
| 6.3. Approve the Administrative Amendment to Grant Funding Agreement to Extend Agreement Expiration Date | 25 | A |
| 6.4. Approve actions to facilitate advancement of the East Bay Greenway Phase 1: E14th/Mission project | 29 | A |
| 6.5. Approve Amendment No. 2 to Cooperative Agreement with the Bay Area Toll Authority for Regional Customer Service Center Services for the I-580 Express Lanes | 33 | A |
| 6.6. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments | 35 | I |
| 6.7. Federal, state, regional, and local legislative activities update | 41 | I/A |
| 6.8. Community Advisory Committee Appointments | 47 | I |

7. Community Advisory Committee Reports (Report Included in Packet)

- | | | |
|--|----|---|
| 7.1. Paratransit Advisory and Planning Committee Summary Minutes | 49 | I |
|--|----|---|

8. Regular Matters

- | | | |
|---|----|---|
| 8.1. One Bay Area Grant Cycle 3 and 2024 Comprehensive Investment Plan Update | 55 | I |
| 8.2. Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Remote Commission and Committee Meetings | 63 | A |

9. Adjournment

Next Meeting: March 24, 2022

Notes:

- All items on the agenda are subject to action and/or change by the Commission.
- To comment on an item not on the agenda (3-minute limit, or at the discretion of the chair), submit a speaker card to the clerk, or follow remote instructions listed in the agenda preamble.
- 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 is located near 12th St. Oakland City Center BART station and AC Transit bus lines. [Directions and parking information](#) are available online.



Alameda CTC Schedule of Upcoming Meetings February through March 2022

Commission Chair
Mayor John J. Bauters
City of Emeryville

Commission Vice Chair
Board President Elsa Ortiz
AC Transit

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

BART
President Rebecca Saltzman

City of Alameda
Mayor Marilyn Ezzy Ashcraft

City of Albany
Councilmember Rochelle Nason

City of Berkeley
Councilmember Rigel Robinson

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
Mayor Teddy Gray King

City of Pleasanton
Mayor Karla Brown

City of San Leandro
Mayor Pauline Russo Cutter

City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

Commission and Committee Meetings

Time	Description	Date
9:30 a.m.	Finance and Administration (FAC)	March 14, 2022
10:00 a.m.	Programs and Projects Committee (PPC)	
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	
2:00 p.m.	Alameda CTC Commission	March 24, 2022
9:30 a.m.	Alameda CTC Commission Retreat	March 30, 2022

Advisory Committee Meetings

1:30 p.m.	Joint Paratransit Advisory and Planning Committee (PAPCO) and Paratransit Technical Advisory Committee (ParaTAC)	February 28, 2022
9:30 a.m.	Paratransit Technical Advisory Committee (ParaTAC)	March 8, 2022
1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	March 10, 2022
5:30 p.m.	Independent Watchdog Committee (IWC)	March 14, 2022

Pursuant to AB 361 and the findings made by the Commission governing its meetings and the meetings of its Committees in light of the current statewide State of Emergency, the Commission and its Committees will not be convening at Alameda CTC's Commission Room but will instead convene remote meetings.

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



Alameda County Transportation Commission Commission Meeting Minutes Thursday, January 27, 2022, 2 p.m.

6.1

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

1. Call to Order

2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Carson, Ezzy Ashcraft, Kaplan, King, Miley, Nason, and Thao.

Commissioner Cox attended as an alternate for Commissioner Brown.
Commissioner Salwan attended as an alternate for Commissioner Mei.

Subsequent to the roll call:

Commissioners Carson, Ezzy Ashcraft, Nason, and Thao arrived during item 3.
Commissioner Kaplan arrived during item 5.1.
Commissioner Miley arrived during item 6.
Commissioner Salwan left during item 9.1.

3. Public Comment

There were no public comments.

4. Election of Commission Chair and Vice Chair

Commissioner Dutra-Vernaci moved to nominate Commissioner Bauter as the Chair of the Commission and Commissioner Ortiz as Vice Chair of the Commission. Commissioner Halliday seconded the motion. The motion passed with the following roll call vote:

Yes: Bauters, Brown, Carson, Cox, Cutter, Dutra-Vernaci, Ezzy Ashcraft, Freitas, Halliday, Haubert, Hernandez, Nason, Ortiz, Robinson, Saltzman, Salwan, Thao, Valle, Woerner

No: None

Abstain: None

Absent: Kaplan, King, Miley

5. Chair and Vice Chair Report

5.1. Recognition of Outgoing Chair Pauline Russo Cutter for her Leadership and service to the Alameda County Transportation Commission

Members of the Commission acknowledged the work and achievements of the outgoing Chair Pauline Russo Cutter.

Chair Bauters provided instructions to the Commission regarding technology procedures, including administering public comments during the meeting.

6. Executive Director Report

Tess Lengyel presented this item, and provided updates on several projects including the I-680 Gilman Interchange Improvements Project and the ongoing work to audit increasing costs from PG&E for this project. Ms. Lengyel also noted that two projects (the East Bay Greenway Project and the Rail Safety Enhancement Program) are being submitted by Caltrans District 4 for potential funding under SB1.

7. Consent Calendar

- 7.1. Approve December 2, 2021 Commission Meeting Minutes, December 12, 2021 and January 10, 2022 Special Commission Meeting Minutes
- 7.2. I-580 Express Lanes Operations Update
- 7.3. Approve actions associated with the Construction and Right of Way Phases of the I-80 Gilman Interchange Improvements Project
- 7.4. Award Plans, Specifications and Estimate Phase and Right of Way Phase Contract for the Oakland Alameda Access Project
- 7.5. Approve Amendment No. 2 to Agreement A19-0001 with HNTB Corporation, Inc. for Express Lanes System Manager and Program Support Services
- 7.6. Approve actions to facilitate advancement of the San Pablo Avenue Multimodal Corridor Project
- 7.7. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments
- 7.8. Approve the 2021 Priority Development Area Investment & Growth Strategy
- 7.9. Approve I-580 Transit and Multimodal Strategy Contract Award and Execution
- 7.10. Community Advisory Committee Appointments

Commissioner Thao pulled item 7.2 for discussion, citing concerns with equity for Express Lane use penalties and fines.

Public Comment: Dave Campbell expressed support of items 7.3 and 7.6 on the agenda as well as concerns around item 7.9 on the consent agenda.

*Commissioner Cutter moved to approve all items on the consent calendar.
Commissioner Ezzy Ashcraft seconded the motion. The motion passed with the following roll call vote:*

Yes: Bauters, Brown, Carson, Cox, Cutter, Dutra-Vernaci, Ezzy Ashcraft, Freitas, Halliday, Haubert, Hernandez, Kaplan, Miley, Nason, Ortiz, Robinson, Salwan, Thao, Valle, Woerner
No: Saltzman (Item 7.3)
Abstain: Bauters (Item 7.3)
Absent: King

8. Community Advisory Committees

8.1. Independent Watchdog Committee

The Independent Watchdog Committee's Report was included in the packet.

9. Regular Matters

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

Maisha Everhart provided a State legislative update, which included an overview of the Governors budget for fiscal year 2022-23, and a breakdown of the \$9.1 billion California Transportation Budget. Ms. Everhart also highlighted the Zero Emission Vehicle Funding and Clean California Initiatives.

Public Comment: Dave Campbell noted that Bike East Bay was not in support of the automatic speed enforcement bill.

9.2. Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Remote Commission and Committee Meetings

Commissioner Ortiz moved to approve the recommended action as noted in staff report. Commissioner Brown seconded the motion. The motion passed with the following roll call vote:

Yes: *Bauters, Brown, Carson, Cox, Cutter, Dutra-Vernaci, Ezzy Ashcraft, Freitas, Halliday, Haubert, Hernandez, Kaplan, Miley, Nason, Ortiz, Robinson, Saltzman, Thao, Valle, Woerner*

No: *None*

Abstain: *None*

Absent: *King, Salwan*

10. Commission Member Reports

There were no member reports.

11. Adjournment

The next meeting is Thursday, February 24, 2022, at 2:00 p.m.

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Memorandum

6.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

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

SUBJECT: Approve Transportation Fund for Clean Air (TFCA) FY 2022-23
Expenditure Plan Application

Recommendation

It is recommended that the Commission approve Resolution 22-002 regarding the TFCA County Program Manager (CPM) FY 2022-23 Expenditure Plan Application, due to the Air District by March 3, 2022.

Summary

As the designated TFCA County Program Manager (CPM) for Alameda County, the Alameda CTC is required to annually program the TFCA CPM revenue received from the Bay Area Air Quality Management District (Air District). It is recommended the Commission approve Resolution 22-002 (Attachment A), regarding the fiscal year (FY) 2022-23 TFCA CPM Expenditure Plan Application (Attachment B) and its submittal to the Air District. The FY 2022-23 TFCA Expenditure Plan Application identifies approximately \$2.96 million of FY 2022-23 funding available for programming and is due to the Air District by March 3, 2022, prior to a detailed program of projects. In lieu of a stand-alone TFCA call for projects this year, the FY 2022-23 funding will be included in the fund estimate for the 2024 Comprehensive Investment Plan (CIP) call for projects, scheduled for release in May 2022.

Background

TFCA funding is generated by a four-dollar vehicle registration fee administered by the Air District. Projects eligible for TFCA funding are to result in the reduction of motor vehicle emissions and achieve surplus emission reductions beyond what is currently required through regulations, ordinances, contracts, or other legally binding obligations. Projects eligible for TFCA include shuttles, bike lanes and bike parking, signal timing and transit signal priority, travel demand management (TDM) programs and alternative fuel vehicles

and fueling/charging infrastructure. The Alameda CTC is responsible for programming 40 percent of the revenue generated within Alameda County for this program. A total of 6.25% percent of new revenue is set aside for Alameda CTC's administration of the program. Per the distribution formula for Alameda County's share of TFCA funding, 70 percent of the available funds are to be allocated to the cities and County based on population, with a minimum of \$10,000 to each jurisdiction. The remaining 30 percent of funds are available for transit-related projects on a discretionary basis. A jurisdiction's projected future share may be borrowed against in order for a project to receive more funds in the current year, which helps facilitate the required annual programming of the funds identified in the Expenditure Plan application.

For reference, a draft FY 2022-23 TFCA fund estimate (Attachment C) identifies how the funding in the FY 2022-23 Expenditure Plan Application is distributed per the county-level funding formula and reflects any adjustments from returned funds from closed projects and balances from prior cycles. Projects proposed for TFCA funding are to be consistent with the Air District's TFCA CPM Fund Policies (Attachment D) and cost-effectiveness requirements. There are no substantive changes to the Air District's CPM Fund Policies from last year.

FY 2022-23 Revenue

The FY 2022-23 TFCA Expenditure Plan Application establishes the amount of TFCA funds available for programming to projects and program administration and is based on the Air District's Department of Motor Vehicles (DMV) revenue estimates for the same period. Additionally, previously programmed TFCA funds remaining from closed (i.e., cancelled or completed) projects are returned to the Alameda CTC's fund estimate for reprogramming. These adjustments are detailed on the second page of the Expenditure Plan Application. Returned funds that were initially programmed from the 70 percent cities/county portion of the fund estimate are credited back to the project sponsor's share.

As summarized below, the Expenditure Plan Application's estimated total amount available for projects is the sum of the estimated new allocation (projected revenue), funds to reprogram, and earned interest, less 6.25 percent of the new allocation, which is reserved for the Alameda CTC's administration of the TFCA program.

FY 2022-23 Estimated New Allocation:	\$1,935,000
<u>Less 6.25% of new allocation for TFCA administration:</u>	<u>(- \$120,938)</u>
Estimated new allocation for projects:	\$1,814,063
Earned interest for calendar year 2021:	\$17,845
<u>Funds from closed projects to reprogram, as of 10/31/21:</u>	<u>\$1,128,165</u>
FY 2022-23 Total funding available for projects:	\$2,960,073

FY 2022-23 Program Development

The Air District's TFCA CPM Policies require the distributed revenues to be fully programmed on an annual basis. Any unprogrammed balance remaining after the Air District's annual programming deadline in early November may be redirected by the Air District to other projects in the region. The programming of TFCA funding is incorporated into the Alameda CTC's biennial Comprehensive Investment Plan (CIP) process when possible, but due to the programming deadline for these funds, releasing stand-alone TFCA calls for projects is periodically required. For this cycle, the FY 2022-23 TFCA revenue will be included in the fund estimate for the 2024 CIP with a call for projects scheduled for release in May 2022. Staff will evaluate the received applications for TFCA eligibility and cost-effectiveness and recommend a FY 2022-23 TFCA program of projects to the Commission in fall 2022.

Next Steps

The Alameda CTC FY 2022-23 TFCA Expenditure Plan Application is to be signed by the Executive Director and is due to the Air District by March 3, 2022.

Updated TFCA program guidelines, including the attached Air District FY 2022-23 TFCA Policies will be incorporated into the Alameda CTC's 2024 CIP call for projects and a TFCA-specific funding recommendation will be brought to the Commission in fall 2022 ahead of the Air District's anticipated November 2022 programming deadline.

Fiscal Impact: This recommended action has no significant fiscal impact. TFCA funding is made available by the Air District and will be included in the Alameda CTC's FY 2022-23 budget.

Attachments:

- A. Alameda CTC Resolution 22-002
- B. Alameda CTC FY 2022-23 TFCA Expenditure Plan Application
- C. Alameda CTC Draft FY 2022-23 TFCA Fund Estimate
- D. Air District's FY 2022-23 TFCA County Program Manager Fund Policies

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Commission Chair
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City of Emeryville

Commission Vice Chair
Board President Elsa Ortiz
AC Transit

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City of Union City
Mayor Carol Dutra-Vernaci

Executive Director
Tess Lengyel

ALAMEDA COUNTY TRANSPORTATION COMMISSION RESOLUTION 22-002

Approval of the Alameda County FY 2022-23 Transportation Fund for Clean Air County Program Manager Fund Expenditure Plan Application

WHEREAS, as of July 2010, the Alameda County Transportation Commission ("Alameda CTC") was designated as the overall Program Manager for the Transportation Fund for Clean Air ("TFCA") County Program Manager Fund for Alameda County;

WHEREAS, the TFCA Program requires the Program Manager to submit an Expenditure Plan Application for FY 2022-23 TFCA funding to the Bay Area Air Quality Management District ("Air District") by March 3, 2022.

NOW, THEREFORE BE IT RESOLVED, the Alameda CTC Commission will program the estimated \$2,960,073 available to projects, consistent with the attached FY 2022-23 TFCA County Program Manager Fund Expenditure Plan Application;

BE IT FURTHER RESOLVED, the Alameda CTC Commission will approve a program of projects within six months of the Air District's approval of the FY2022-23 Expenditure Plan Application; and

BE IT FURTHER RESOLVED, the Alameda CTC Commission authorizes the Executive Director to execute any necessary fund transfer agreements related to this funding with the Air District and project sponsors.

DULY PASSED AND ADOPTED by the Alameda CTC at the regular Commission meeting held on Thursday, February 24, 2022 in Oakland, California, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

John Bauters
Chair, Alameda CTC

Vanessa Lee
Clerk of the Commission

Summary Information

Directions: Please fill out the yellow highlights.

County Program Manager Agency Name: Alameda County Transportation Commission
 Address: 1111 Broadway, Suite 800, Oakland, CA 94607

PART A: NEW TFCA FUNDS

		Project	Admin (default 6.25%)[1]	Total (Project + Admin)
1. Estimated FYE 2023 DMV revenues (based on projected CY2021 revenues):	Line 1	\$1,875,000	\$ 125,000	\$ 2,000,000
2. Difference between prior-year estimate and actual revenue:	Line 2	-\$60,958	-\$4,064	-\$65,021
a. Actual FYE 2021 DMV revenues (based on CY2020):	2a	\$1,856,605	\$ 123,774	\$ 1,980,379
b. Estimated FYE 2021 DMV revenues:	2b	\$1,917,563	\$ 127,838	\$ 2,045,400
<i>('a' minus 'b' equals Line 2.)</i>				
3. Estimated New Allocation (Sum of Lines 1 and 2):	Line 3	\$1,814,062.50	\$120,937.50	\$1,935,000.00

PART B: INTEREST FOR PROGRAMMING AND TFCA FUNDS AVAILABLE FOR REPROGRAMMING

4. Total available for programming/reprogramming to other projects.	Line 4	\$1,146,010.47	\$0.00	\$1,146,010.47
a. Amount available from previously funded projects:	4a	\$1,128,165.30		
b. Admin expended in FYE 2021:	4b		\$123,773.66	
c. Interest income earned on TFCA funds in CY 2021:	4c	\$17,845.17		\$17,845.17
<i>(Project equals '4a' plus '4c' equals Line 4. Admin equals '2a' minus '4b'.)</i>				

PART C: TOTAL AVAILABLE TFCA FUNDS

5. Total Available TFCA Funds (Sum of Lines 3 and 4)	Line 5	\$2,960,072.97	\$120,937.50	\$3,081,010.47
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I certify that, to the best of my knowledge, the information contained in this application is complete and accurate.

 Executive Director Signature

 Date

[1] The "Estimated TFCA funds budgeted for administration" amount is listed for informational purposes only. Per California Health and Safety Code Section 44233, County Program Managers must limit their administrative costs to no more than 6.25% of the actual total revenue received from the Air District.

Summary Information - Addendum

Complete if there are TFCA Funds available for reprogramming (do not include any CPM administrative budget. E.g., 23ALA00)

	Project #	Project Sponsor/Grantee	Project Name	\$ TFCA Funds Allocated	\$ TFCA Funds Expended	\$ TFCA Funds Available	Code*
1.	16ALA05	Dublin	San Ramon Road Arterial Management	\$146,352	\$146,351.99	0.01	UB
2.	18ALA01	Emeryville	Bay Area Bike Share Expansion to Emeryville	\$180,000	\$0.00	180,000.00	CP
3.	19ALA02	Alameda CTC	Alameda Countwide Transportation Demand Management (TDM) Program, FY 2019-20	\$546,840	\$162,891.43	383,948.57	UB
4.	20ALA03	Alameda CTC	Alameda Countwide Transportation Demand Management (TDM) Program, FY 2020-21	\$338,000	\$297,228.59	40,771.41	UB
5.	20ALA06	Oakland	Broadway Shuttle Operations, FY 2020-21	\$265,000	\$0.00	265,000.00	CP
6.	NA	NA	FYE21 unprogrammed balance	\$0	\$0.00	258,445.31	UB
7.							
8.							
9.							
10.							
11.							
12.							

TOTAL TFCA FUNDS AVAILABLE FOR REPROGRAMMING**\$1,128,165.30**

(Enter this amount in Part B, Line 4.a. of Summary Information form)

* Enter UB (for projects that were completed under budget) or CP (for cancelled project).

Alameda CTC TFCA County Program Manager Fund: FY 2022-23 Fund Estimate - DRAFT

	A	B	C	D	E (B-C+D)	F (A+E)			
Agency	Population (Estimate ¹)	% Population	Total % of Funding	TFCA Funds Available (new this FY)	Balance from Previous FY	Programmed Last Cycle	Funds Available from Closed Projects	Rollover (Debits/ Credits)	TFCA Balance (New + Rollover)
Alameda	80,884	4.88%	4.88%	\$ 62,536	\$ (82,678)	\$ 100,000	\$ 14,499	\$ (168,180)	\$ (105,644)
Alameda County	146,958	8.87%	8.86%	\$ 113,621	\$ 358,344	\$ 98,000	\$ 26,343	\$ 286,687	\$ 400,308
Albany	17,055	1.03%	1.03%	\$ 13,186	\$ 594	\$ 85,000	\$ 3,057	\$ (81,348)	\$ (68,162)
Berkeley	116,761	7.05%	7.04%	\$ 90,274	\$ 380,291	\$ -	\$ 20,930	\$ 401,221	\$ 491,495
Dublin	64,695	3.91%	3.90%	\$ 50,019	\$ (699,738)	\$ -	\$ 11,597	\$ (688,142)	\$ (638,122)
Emeryville	12,586	0.76%	0.78%	\$ 10,000	\$ (175,084)	\$ -	\$ 182,318	\$ 7,235	\$ 17,235
Fremont	234,239	14.14%	14.12%	\$ 181,103	\$ 391,641	\$ -	\$ 41,988	\$ 433,629	\$ 614,732
Hayward	158,089	9.54%	9.53%	\$ 122,227	\$ 359,685	\$ -	\$ 28,338	\$ 388,023	\$ 510,250
Livermore	91,216	5.51%	5.50%	\$ 70,524	\$ 706,687	\$ -	\$ 16,351	\$ 723,037	\$ 793,561
Newark	48,859	2.95%	2.95%	\$ 37,776	\$ 535,949	\$ 130,000	\$ 8,758	\$ 414,707	\$ 452,482
Oakland	435,514	26.29%	26.26%	\$ 336,719	\$ 132,199	\$ 505,000	\$ 343,067	\$ (29,734)	\$ 306,986
Piedmont	11,296	0.68%	0.78%	\$ 10,000	\$ 6,784	\$ -	\$ 2,318	\$ 9,102	\$ 19,102
Pleasanton	78,371	4.73%	4.73%	\$ 60,593	\$ 167,298	\$ 150,000	\$ 14,048	\$ 31,347	\$ 91,939
San Leandro	87,289	5.27%	5.26%	\$ 67,488	\$ 327,465	\$ 284,000	\$ 15,647	\$ 59,112	\$ 126,600
Union City	72,779	4.39%	4.39%	\$ 56,269	\$ 254,002	\$ 1,500,000	\$ 13,046	\$ (1,232,952)	\$ (1,176,683)
TOTAL 70% Cities/County:	1,656,591	100%	100%	\$ 1,282,335	\$ 2,663,440	\$ 2,852,000	\$ 742,304	\$ 553,744	\$ 1,836,079

FY 2022-23 TFCA New Revenue	\$ 1,935,000
<u>Less 6.25% for Program Administration</u>	<u>\$ (120,938)</u>
Subtotal New Programming Capacity	\$ 1,814,063
<u>Calendar Year 2021 Interest Earned</u>	<u>\$ 17,845</u>
Total New Programming Capacity	\$ 1,831,908

	Totals	Cities/County (Shares) 70%	Transit (Discretionary) 30%
Total New Programming Capacity	\$ 1,831,908	\$ 1,282,335	\$ 549,572
Funds Available from Closed Projects Adjustment	\$ 869,720	\$ 742,304	\$ 127,416
FY 2021-22 Rollover (debit/credit) Adjustment	\$ 258,445	\$ (188,560)	\$ 447,005
Total Adjustments ²	\$ 1,128,165	\$ 553,744	\$ 574,421
Adjusted Total Available to Program	\$ 2,960,073	\$ 1,836,079	\$ 1,123,994

Notes:

1. Dept. of Finance (www.dof.ca.gov) population estimates as of 1/01/2021 (released May 2021).
2. Includes TFCA programming actions and returned funds from closed projects as of 10/31/21.

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Appendix D: Board-Adopted Policies for FYE 2023

Adopted November 17, 2021

The following Policies apply to the Bay Area Air Quality Management District's (Air District) Transportation Fund for Clean Air (TFCA) County Program Manager Fund for fiscal year ending (FYE) 2023.

BASIC ELIGIBILITY

1. **Reduction of Emissions:** Only projects that result in the reduction of motor vehicle emissions within the Air District's jurisdiction are eligible.

Projects must conform to the provisions of the California Health and Safety Code (HSC) sections 44220 et seq. and these Air District Board of Directors adopted TFCA County Program Manager Fund Policies.

Projects must achieve surplus emission reductions, i.e., reductions that are beyond what is required through regulations, ordinances, contracts, and other legally binding obligations at the time of the execution of a grant agreement between the County Program Manager and the grantee. Projects must also achieve surplus emission reductions at the time of an amendment to a grant agreement if the amendment modifies the project scope or extends the project completion deadline.

2. **TFCA Cost-Effectiveness:** Projects must not exceed the maximum cost-effectiveness (C-E) limit specified in Table 1. Cost-effectiveness (\$/weighted ton) is the ratio of TFCA funds awarded to the sum of surplus emissions reduced, during a project's operational period, of reactive organic gases (ROG), nitrogen oxides (NOx), and weighted PM10 (particulate matter 10 microns in diameter and smaller). All TFCA-generated funds (e.g., reprogrammed TFCA funds) that are awarded or applied to a project must be included in the evaluation. For projects that involve more than one independent component (e.g., more than one vehicle purchased, more than one shuttle route), each component must achieve this cost-effectiveness requirement.

County Program Manager administrative costs are excluded from the calculation of a project's TFCA cost-effectiveness.

Table 1: Maximum Cost-Effectiveness for TFCA County Program Manager Fund Projects

Policy No.	Project Category	Maximum C-E (\$/weighted ton)
22	Alternative Fuel Light- and Medium-Duty Vehicles	500,000
23	Reserved	Reserved
24	Alternative Fuel Heavy-Duty Trucks and Buses	500,000
25	On-Road Truck Replacements	90,000
26	Alternative Fuel Infrastructure	500,000
27	Ridesharing Projects – Existing	150,000
28	First- and Last-Mile Connections – Existing	200,000; 250,000 for services in CARE Areas or PDAs

29.a.	First- and Last-Mile Connections – Pilot projects not in CARE Areas or PDAs. <i>These projects will be evaluated every year.</i>	Year 1 - 500,000 Year 2 and beyond - see Policy #28 service is considered existing
	First- and Last-Mile Connections – <i>Pilot shuttle projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive TFCA Funds under the Pilot designation. These projects will be evaluated every year.</i>	Years 1 & 2 - 500,000 Year 3 and beyond - see Policy #28 service is considered existing
29.b.	Pilot Trip Reduction	500,000
30.a.	Bicycle Parking	250,000
30.b.	Bikeways	500,000
31	Bike Share	500,000
32	Arterial Management	250,000
33	Infrastructure Improvements for Trip Reduction	500,000
34	Telecommuting	150,000

3. **Eligible Projects and Case-by-Case Approval:** Eligible projects are those that conform to the provisions of the HSC section 44241, Air District Board-adopted policies, and Air District guidance. On a case-by-case basis, County Program Managers must receive approval by the Air District for projects that are authorized by the HSC section 44241 and achieve Board-adopted TFCA cost-effectiveness but do not fully meet other Board-adopted Policies.
4. **Consistent with Existing Plans and Programs:** All projects must comply with the Transportation Control and Mobile Source Control Measures included in the Air District's most recently approved strategies for achieving and maintaining State and national ozone standards ([2017 Clean Air Plan](#)), those plans and programs established pursuant to HSC sections 40233, 40717, and 40919; and, when specified, other adopted federal, State, regional, and local plans and programs.
5. **Eligible Recipients:** Grant recipients must be responsible for the implementation of the project, have the authority and capability to complete the project, and be an applicant in good standing with the Air District (Policies #8-10).
 - a. **Public agencies** are eligible to apply for all project categories.
 - b. **Non-public entities** are eligible to apply for only new alternative-fuel (light, medium, and heavy-duty) vehicle and infrastructure projects, and advanced technology demonstrations that are permitted pursuant to HSC section 44241(b)(7).
6. **Readiness:** Projects must commence by the end of calendar year 2023 or within 24 months from the date of execution of the funding agreement with the subgrantee. For purposes of this policy, “commence” means a tangible preparatory action taken in connection with the project’s operation or implementation, for which the grantee can provide documentation of the commencement date and action performed. “Commence” includes, but is not limited to, the issuance of a purchase order to secure project vehicles and equipment, commencement of first- and last-mile connections and ridesharing service, or the delivery of the award letter for a construction contract.

7. **Maximum Two Years Operating Costs for Service-Based Projects:** Unless otherwise specified in policies #22 through #33, TFCA County Program Manager Funds may be used to support up to two years of operating costs for service-based projects (e.g., ridesharing, first- and last-mile connections service). Grant applicants that seek TFCA funds for additional years must reapply for funding in the subsequent funding cycles.

APPLICANT IN GOOD STANDING

8. **Independent Air District Audit Findings and Determinations:** Grantees who have failed either the financial statement audit or the compliance audit for a prior TFCA-funded project awarded by either County Program Managers or the Air District are excluded from receiving an award of any TFCA funds for three (3) years from the date of the Air District's final audit determination in accordance with HSC section 44242 or for a duration determined by the Air District Air Pollution Control Officer (APCO). Existing TFCA funds already awarded to the project sponsor will not be released until all audit recommendations and remedies have been satisfactorily implemented. A failed financial statement audit means a final audit report that includes an uncorrected audit finding that confirms an ineligible expenditure of TFCA funds. A failed compliance audit means an uncorrected audit finding that confirms a program or project was not implemented in accordance with the applicable Funding Agreement or grant agreement.

A failed financial statement or compliance audit of the County Program Manager or its grantee may subject the County Program Manager to a reduction of future revenue in an amount equal to the amount which was inappropriately expended pursuant to the provisions of HSC section 44242(c)(3).

9. **Authorization for County Program Manager to Proceed:** Only a fully executed Funding Agreement (i.e., signed by both the Air District and the County Program Manager) constitutes the Air District's award of County Program Manager Funds. County Program Managers may incur costs (i.e., contractually obligate itself to allocate County Program Manager Funds) only after the Funding Agreement with the Air District has been executed.
10. **Maintain Appropriate Insurance:** Both the County Program Manager and each grantee must obtain and maintain general liability insurance, workers compensation insurance, and additional insurance as appropriate for specific projects, with required coverage amounts provided in Air District guidance and final amounts specified in the respective grant agreements.

INELIGIBLE PROJECTS

11. **Duplication:** Projects that have previously received any TFCA funds, e.g., TFCA Regional Funds or County Program Manager Funds, and that do not propose to achieve additional emission reductions are not eligible.
12. **Planning Activities:** The costs of preparing or conducting feasibility studies are not eligible. Planning activities are not eligible unless they are directly related to the implementation of a specific project or program.
13. **Reserved.**
14. **Cost of Developing Proposals and Grant Applications:** The costs to prepare proposals and/or grant applications are not eligible.

USE OF TFCA FUNDS

15. **Combined Funds:** TFCA County Program Manager Funds may not be combined with TFCA Regional Funds to fund a County Program Manager Fund project. Projects that are funded by the TFCA County Program Manager Fund are not eligible for additional funding from other funding sources that claim emissions reduction credits. However, County Program Manager-funded projects may be combined with funds that do not require emissions reductions for funding eligibility.

16. **Administrative Costs:** The County Program Manager may not expend more than 6.25 percent of its County Program Manager Funds for its administrative costs. The County Program Manager's costs to prepare and execute its Funding Agreement with the Air District are eligible administrative costs. Interest earned on County Program Manager Funds shall not be included in the calculation of the administrative costs. To be eligible for reimbursement, administrative costs must be clearly identified in the expenditure plan application and in the Funding Agreement, and must be reported to the Air District.
17. **Expend Funds within Two Years:** County Program Manager Funds must be expended within two (2) years of receipt of the first transfer of funds from the Air District to the County Program Manager in the applicable fiscal year, unless a County Program Manager has made the determination based on an application for funding that the eligible project will take longer than two years to implement. Additionally, a County Program Manager may, if it finds that significant progress has been made on a project, approve no more than two one-year schedule extensions for a project. Any subsequent schedule extensions for projects can only be given on a case-by-case basis, if the Air District finds that significant progress has been made on a project.
18. **Unallocated Funds:** Pursuant to HSC 44241(f), any County Program Manager Funds that are not allocated to a project within six months of the Air District Board of Directors approval of the County Program Manager's Expenditure Plan may be allocated to eligible projects by the Air District. The Air District shall make reasonable effort to award these funds to eligible projects in the Air District within the same county from which the funds originated.

19. Reserved.

20. Reserved.

21. Reserved.

ELIGIBLE PROJECT CATEGORIES

Clean Air Vehicle Projects

22. Alternative Fuel Light- and Medium-Duty Vehicles:

These projects are intended to accelerate the deployment of zero- and partial-zero emissions motorcycles, cars, and light-duty vehicles. All of the following conditions must be met for a project to be eligible for TFCA funds:

- a. Vehicles must have a gross vehicle weight rating (GVWR) of 8,500 lbs. or lower;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid-electric, plug-in electric, fuel cell vehicles, and neighborhood electric vehicles (NEV) as defined in the California Vehicle Code. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas, and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 90% of the project's eligible cost; the sum of TFCA funds awarded with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and

- g. Projects that seek to scrap and replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

23. Reserved.

24. Alternative Fuel Heavy-Duty Trucks and Buses:

These projects are intended to accelerate the deployment of qualifying alternative fuel vehicles that operate within the Air District's jurisdiction by encouraging the replacement of older, compliant trucks and buses with the cleanest available technology. If replacing heavy-duty vehicles and buses with light-duty vehicles, light-duty vehicles must meet Policy #22. All of the following conditions must be met for a project to be eligible for TFCA Funds:

- a. Each vehicle must be new and have a GVWR greater than 8,500 lbs.;
- b. Vehicles may be purchased or leased;
- c. Eligible vehicle types include plug-in hybrid, plug-in electric, and fuel cell vehicles. Vehicles must also be approved by the CARB;
- d. Vehicles that are solely powered by gasoline, diesel, or natural gas and retrofit projects are not eligible;
- e. The total amount of TFCA funds awarded may not exceed 100% of the project's eligible cost for School Buses and 90% of the project's eligible cost for all other vehicle types; the sum of TFCA funds awarded combined with all other grants and applicable manufacturer and local/state/federal rebates and discounts may not exceed total project costs;
- f. Grantees may request authorization of up to 100% of the TFCA Funds awarded for each vehicle to be used to pay for costs directly related to the purchase and installation of alternative fueling infrastructure and/or equipment used to power the new vehicle; and
- g. Projects that seek to scrap and replace a vehicle in the same weight-class as the proposed new vehicle may qualify for additional TFCA funding. Costs related to the scrapping and/or dismantling of the existing vehicle are not eligible for reimbursement with TFCA funds.

- 25. On-Road Truck Replacements:** These projects will replace Class 6, Class 7, and Class 8 diesel-powered trucks that have a gross vehicle weight rating (GVWR) of 19,501 lbs. or greater (per vehicle weight classification definition used by Federal Highway Administration (FHWA) with new or used trucks that have an engine certified to the 2010 CARB emissions standards or cleaner. The existing truck(s) to be replaced must be registered with the California Department of Motor Vehicles (DMV) to an address within the Air District's jurisdiction and must be scrapped after replacement.

- 26. Alternative Fuel Infrastructure:** These projects are intended to accelerate the adoption of zero-emissions vehicles through the deployment of alternative fuel infrastructure, i.e., electric vehicle charging sites, hydrogen fueling stations.

Eligible refueling infrastructure projects include new dispensing and charging facilities, or additional equipment or upgrades and improvements that expand access to existing alternative fuel fueling/charging sites. This includes upgrading or modifying private fueling/charging sites or stations to allow public and/or shared fleet access. TFCA funds may be used to cover the cost of equipment and installation. TFCA funds may also be used to upgrade infrastructure projects previously funded with TFCA funds as long as the equipment was maintained and has exceeded the duration of its useful life after being placed into service.

Equipment and infrastructure must be designed, installed, and maintained as required by the existing recognized codes and standards and as approved by the local/state authority.

TFCA funds may not be used to pay for fuel, electricity, operation, and maintenance costs.

Trip Reduction Projects

27. Existing Ridesharing Services: The project provides carpool, vanpool, or other rideshare services.

Projects that provide a direct or indirect financial transit or rideshare subsidy are also eligible under this category. Projects that provide a direct or indirect financial transit or rideshare subsidy *exclusively* to employees of the grantee are not eligible.

28. Existing First- and Last-Mile Connections:

The project reduces single-occupancy vehicle trips by providing short-distance connections between mass transit and commercial hubs or employment centers. All the following conditions must be met for a project to be eligible for TFCA funds:

- a. The service must provide direct connections between stations (e.g., rail stations, ferry stations, Bus Rapid Transit (BRT) stations, or airports) and a distinct commercial or employment location.
- b. The service's schedule, which is not limited to commute hours, must be coordinated to have a timely connection with corresponding mass transit service.
- c. The service must be available for use by all members of the public.
- d. TFCA funds may be used to fund only shuttle services to locations that are under-served and lack other comparable service. For the purposes of this policy, "comparable service" means that there exists, either currently or within the last three years, a direct, timed, and publicly accessible service that brings passengers to within one-third (1/3) mile of the proposed commercial or employment location from a mass transit hub. A proposed service will not be deemed "comparable" to an existing service if the passengers' proposed travel time will be at least 15 minutes shorter and at least 33% shorter than the existing service's travel time to the proposed destination.
- e. Reserved.
- f. Grantees must be either: (1) a public transit agency or transit district that directly operates the service; or (2) a city, county, or any other public agency.
- g. Applicants must submit a letter of concurrence from all transit districts or transit agencies that provide service in the area of the proposed route, certifying that the service does not conflict with existing service.
- h. Each route must meet the cost-effectiveness requirement in Policy #2. Projects that would operate in Highly Impacted Communities or Episodic Areas as defined in the Air District Community Air Risk Evaluation (CARE) Program, or in Priority Development Areas (PDAs), may qualify for funding at a higher cost-effectiveness limit (see Policy #2).

29. Pilot Projects:

a. Pilot First- and Last-Mile Connections:

The project provides new first- and last-mile connections service that is at least 70% unique and operates where no other service was provided within the past three years. In addition to meeting the conditions listed in Policy #28 for First- and Last-Mile Connections, project applicants must also comply with the following application criteria and agree to comply with the project implementation requirements:

- i. Demonstrate the project will reduce single-occupancy vehicle trips and result in a reduction in emissions of criteria pollutants.

- ii. Provide data and/or other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users.
- iii. Provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation after the pilot period.
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;
- v. Projects located in Highly Impacted Communities as defined in the Air District CARE Program and/or a Planned or Potential PDA may receive a maximum of two years of TFCA County Program Manager Funds under the Pilot designation. For these projects, the project applicants understand and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
 - 1. During the first year and by the end of the second year of operation, projects must not exceed a cost-effectiveness of \$500,000/ton
 - 2. Projects entering a third year of operation and beyond are subject to all of the requirements, including cost-effectiveness limit, of Policy #28 (existing First- and Last-Mile Connections).
- vi. Projects located outside of CARE areas and PDAs may receive a maximum of two years of TFCA County Program Manager Funds under this designation. For these projects, the project applicant understands and must agree that such projects will be evaluated every year, and continued funding will be contingent upon the projects meeting the following requirements:
 - 1. By the end of the first year of operation, projects shall meet a cost-effectiveness of \$500,000/ton, and
 - 2. By the end of the second year of operation, projects shall meet all of the requirements, including cost-effectiveness limit, of Policy #28 (existing First- and Last-Mile Connections).

b. Pilot Trip Reduction:

The project reduces single-occupancy commute vehicle trips by encouraging mode-shift to other forms of shared transportation. Pilot projects are defined as projects that serve an area where no similar service was available within the past three years, or that will result in significantly expanded service to an existing area. Funding is designed to provide the necessary initial capital to a public agency for the start-up of a pilot project so that by the end of the third year of the trip reduction project's operation, the project will be financially self-sustaining or require minimal public funds, such as grants, to maintain its operation.

- i. Applicants must demonstrate the project will reduce single-occupancy commute vehicle trips and result in a reduction in emissions of criteria pollutants;
- ii. The proposed service must be available for use by all members of the public;
- iii. Applicants must provide a written plan showing how the service will be financed in the future and require minimal, if any, TFCA funds to maintain its operation by the end of the third year;
- iv. If the local transit provider is not a partner, the applicant must demonstrate that they have attempted to have the service provided by the local transit agency. The

transit provider must have been given the first right of refusal and determined that the proposed project does not conflict with existing service;

- v. Applicants must provide data and any other evidence demonstrating the public's need for the service, such as a demand assessment survey and letters of support from potential users;
- vi. Pilot trip reduction projects that propose to provide ridesharing service projects must comply with all applicable requirements in policy #27.

30. Bicycle Projects:

These projects expand public access to bicycle facilities. New bicycle facility projects or upgrades to an existing bicycle facility that are included in an adopted countywide bicycle plan, Congestion Management Program (CMP), countywide transportation plan (CTP), city plan, or the Metropolitan Transportation Commission's (MTC) Regional Bicycle Plan and/or Regional Active Transportation Plan are eligible to receive TFCA funds. Projects that are included in an adopted city general plan or area-specific plan must specify that the purpose of the bicycle facility is to reduce motor vehicle emissions or traffic congestion.

a. Bicycle Parking:

The project expands the public's access to new bicycle parking facilities (e.g., electronic bicycle lockers, bicycle racks), which must be publicly accessible and available for use by all members of the public. Eligible projects are limited to the purchase and installation of the following types of bike parking facilities that result in motor vehicle emission reductions:

- i. Bicycle racks, including bicycle racks on transit buses, trains, shuttle vehicles, and ferry vessels;
- ii. Electronic bicycle lockers; and
- iii. Capital costs for attended bicycle storage facilities.

b. Bikeways:

The project constructs and/or installs bikeways for the purpose of reducing motor vehicle emissions or traffic congestion. Bikeways for exclusively recreational use are ineligible. Projects are limited to the following types of bikeways:

- i. Class I Bikeway (bike path), new or upgrade improvement from Class II or Class III bikeway;
- ii. New Class II Bikeway (bike lane);
- iii. New Class III Bikeway (bike route); and
- iv. Class IV Bikeway (separated bikeway), new or upgrade improvement from Class II or Class III bikeway.

All bikeway projects must, where applicable, be consistent with design standards published in the California Highway Design Manual or conform to the provisions of the Protected Bikeway Act of 2014. Projects must have completed all applicable environmental reviews and either have been deemed exempt by the lead agency or have been issued the applicable negative declaration or environmental impact report or statement.

31. Bike Share:

Projects that make bicycles available to individuals for shared use for completing first- and last-mile trips in conjunction with regional transit and stand-alone short distance trips are eligible for TFCA funds, subject to all the following conditions:

- a. Projects must either increase the fleet size of existing service areas or expand existing service areas to include new Bay Area communities.
- b. Projects must have a completed and approved environmental plan and a suitability study demonstrating the viability of bicycle sharing.
- c. Projects must have shared membership and/or be interoperable with the Bay Area Bike Share (BABS) project when they are placed into service, in order to streamline transit for end users by reducing the number of separate operators that would comprise bike trips. Projects that meet one or more of the following conditions are exempt from this requirement:
 - i. Projects that do not require membership or any fees for use;
 - ii. Projects that were provided funding under MTC's Bike Share Capital Program to start a new or expand an existing bike share program; or
 - iii. Projects that attempted to coordinate with, but were refused by, the current BABS operator to have shared membership or be interoperable with BABS. Applicants must provide documentation showing proof of refusal.

TFCA funds may be awarded to pay for up to five years of operations, including the purchase of two-wheeled or three-wheeled vehicles (self-propelled or electric), plus mounted equipment required for the intended service and helmets.

32. Arterial Management:

Arterial management grant applications must identify a specific arterial segment and define what improvement(s) will be made to affect traffic flow on the identified arterial segment. Projects that provide routine maintenance (e.g., responding to citizen complaints about malfunctioning signal equipment) are not eligible to receive TFCA funds. Incident management projects on arterials are eligible to receive TFCA funds. Transit improvement projects include, but are not limited to, bus rapid transit and transit priority projects. Signal timing projects are eligible to receive TFCA funds. Each arterial segment must meet the cost-effectiveness requirement in Policy #2.

33. Infrastructure Improvements for Trip Reduction:

The project expands the public's access to alternative transportation modes through the design and construction of physical improvements that support development projects that achieve motor vehicle emission reductions.

- a. The development project and the physical improvement must be identified in an approved area-specific plan, redevelopment plan, general plan, bicycle plan, pedestrian plan, traffic-calming plan, or other similar plan.
- b. The project must implement one or more transportation control measures (TCMs) in the most recently adopted Air District plan for State and national ambient air quality standards. Pedestrian projects are eligible to receive TFCA funds.
- c. The project must have a completed and approved environmental plan. If a project is exempt from preparing an environmental plan as determined by the public agency or lead agency, then that project has met this requirement.

34. Telecommuting: Implementation of demonstration projects in telecommuting. No funds expended under this policy shall be used for the purchase of personal computing equipment for an individual's home use.

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Memorandum

6.3

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

FROM: Gary Husingh, Deputy Executive Director of Projects
Angelina Leong, Assistant Transportation Engineer

SUBJECT: Approve the Administrative Amendment to Grant Funding Agreement to Extend Agreement Expiration Date

Recommendation

It is recommended that the Commission approve administrative amendments to Grant Funding Agreement (A16-0087 and A16-0076) in support of both Alameda CTC-implemented Capital Projects and program delivery commitments and local agency-sponsored projects receiving Alameda CTC-administered discretionary funding.

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 requests shown in Table A have been reviewed and it has been determined that the requests will not compromise project deliverables.

Staff recommends that the Commission approve and authorize the administrative amendment requests 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 by the Executive Director, but 2nd and subsequent time extensions are brought to the Commission for approval.

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 phase/project closeout activities.

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: Not applicable.

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	City of Fremont	West Side Access	A16-0087	A1: 12-month time extension from 12/30/2020 to 12/30/21 A2: 12-month time extension from 12/30/2021 to 12/30/22 (<i>current request</i>)	2	None
2	AC Transit	East Bay Bus Rapid Transit	A16-0076	A1: 22-month time extension from 03/31/20 to 12/30/21 A2: 12-month time extension from 12/30/2021 to 12/30/22 (<i>current request</i>)	2	None

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

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Memorandum

6.4

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

FROM: Kristen Villanueva, Principal Planner
Aleida Andrino-Chavez, Associate Planner

SUBJECT: Approve actions to facilitate advancement of the East Bay Greenway Phase 1: E14th/Mission project

Recommendation

It is recommended that the Commission approve the following actions related to the East Bay Greenway Phase 1: E14th/Mission Project (Project):

1. Authorize the Executive Director to execute Amendment No. 5 to the Professional Services Agreement A18-0024 with Kittelson and Associates, Inc. to add an additional amount of \$800,000 for a not-to-exceed amount of \$3,388,000.

Summary

Alameda CTC initiated the East 14th Street/Mission Blvd and Fremont Blvd Multimodal Corridor Project in 2018 as one of the agency's high priority multimodal corridor projects. The goals established for the corridor are to improve multimodal mobility, efficiency, and safety to sustainably meet current and future transportation needs, support planned growth and economic development, improve connectivity between transportation modes, and provide flexibility for future changes in transportation technology.

Since 2018, the project team worked closely with local, regional and state partners on a long-term vision and concept for the corridor. The long-term concept was approved by the Commission in 2020. In 2021, an initial segment of the multimodal corridor project merged with the long-standing East Bay Greenway project into a new, combined project from Oakland to South Hayward known as the East Bay Greenway Phase 1 project. This is proposed to be a continuous, high quality bicycle facility with multimodal safety, transit, and placemaking elements throughout and that will be implemented in the near-term (3-5 years). The Commission received updates on the new combined project in October 2021 at PPC and in November 2021 at PPLC, and approved actions related to the East Bay Greenway project at PPC in November 2021.

This item would amend the contract for the E14th/Mission portion of the EBGW Phase 1 project, which is the segment from Davis Street in San Leandro to South Hayward BART station, and utilizes an existing contract for services related to the E14th/Mission and Fremont Multimodal Corridor Project. The Commission last approved an amendment to A18-0024 with Kittelson and Associates, Inc. in April 2021 for additional project development with a focus on improvements in San Leandro, Ashland/Cherryland, and Hayward. Given the new schedule and scope elements required of the combined Project, staff is requesting a contract amendment to cover scope changes required to support project advancement.

Background

The new combined project, East Bay Greenway Phase 1, is advancing the following near-term project components:

- **High-quality bicycle and pedestrian facilities:** The project proposes implementation of Class IV and Class II buffered bike lanes along the East 14th Street and Mission Blvd segment (San Leandro Blvd and East 14th Street in San Leandro and Mission Blvd to Tennyson Road in Hayward), as well as on the streets connecting to the BART stations between San Leandro BART and South Hayward BART stations. This includes multimodal facilities on the Caltrans segment of E14th Street in San Leandro, from San Leandro Blvd. to approximately Plaza Drive near the Bay Fair BART Station. Whenever feasible on major intersections, the design includes protected intersection or dedicated intersection elements for bicyclists consistent with NACTO Urban Bikeway Design guidance. This includes upgrading signalized intersections with bicycle signals.
- **Transit reliability and access benefits:** The project includes targeted rapid bus infrastructure that will improve access to transit, reliability, and reduce delays at bus stops. These include transit islands, shorter and safer crosswalks, installation of Transit Signal Priority, and queue jumps where buses enter/leave the corridor to access BART stations. The project generally improves multimodal access to BART stations through the high quality bicycle and pedestrian facilities along E14th Street and Mission Blvd. as well as along connecting roadways to BART.
- **Placemaking to support economic development:** The Project proposes to support near-term economic development opportunities and enhance existing neighborhoods through complementary design elements that would expand pedestrian space, install landscaping and other urban greening elements, increase public use of the street, increase visual identity, and create opportunities for activating adjacent properties, such as surface parking and vacant lots. The Project will also include a study of available parking and curb management to support multimodal treatments and business activity. The Project will explore opportunities to install landscape and lighting treatments on raised medians (e.g. shrubs, raised planters, green infrastructure, pedestrian lighting, etc.), identify locations for the installation of Buslets (parklets at bus stops) on new bus islands with enhanced shelters and seating that serve both riders and business customers as extension of outdoor space for adjacent business. The project placemaking element goal is to create a cohesive,

visual identity for the corridor while also highlighting the unique character of specific districts.

Current Activities

Since the PPC and Commission actions related to this project in November 2021, staff has been meeting with local and state agencies along the project corridor to discuss a single concept that will support subsequent environmental and design phases and that builds upon previous planning. Significant stakeholder and community engagement were completed for the East Bay Greenway project and the E14th/Mission and Fremont Boulevard Multimodal Corridor Project. Community outreach specific to this near-term unified project is planned later in the spring. Environmental clearance (NEPA CE and CEQA CE) is anticipated for late 2022 with PS&E phase beginning end of 2022. Project delivery may be phased based on funding availability.

Contract Amendment

This contract amendment will address the following:

- Additional concept project planning to advance the implementation of near-term bicycle network gap closures and near-term transit priority treatments between San Leandro BART and South Hayward BART stations.
- Assess tradeoffs of different right of way configurations of bike circulation and safety, bus operations and performance, traffic operations and curbside management between San Leandro BART and South Hayward BART.
- Prepare analysis and conceptual plans at a level that can support subsequent environmental documentation.
- Additional data collection and meetings to support these activities.

Staff recommends amending the contract to include budget for these items.

Levine Act Statement: The Kittelson and Associates team did not report any conflicts in accordance with the Levine Act.

Fiscal Impact: The action will authorize the encumbrance of \$800,000 in previously allocated Measure BB funds to the Project. The funding is included in the Alameda CTC adopted FY2021-2022 budget. The total addition to contract A18-0024 with Kittelson and Associates, Inc. is \$800,000 for a total not-to-exceed amount of \$3,388,000.

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Memorandum

6.5

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

FROM: Ashley Tam, Associate Transportation Engineer (Express Lanes)

SUBJECT: Approve Amendment No. 2 to Cooperative Agreement with the Bay Area Toll Authority for Regional Customer Service Center Services for the I-580 Express Lanes

Recommendation

It is recommended that the Commission approve and authorize the Executive Director to execute Amendment No. 2 to Cooperative Agreement I-580-EL-BAT-FY15-16 with the Bay Area Toll Authority for Regional Customer Service Center Services for the I-580 Express Lanes to extend the term of the Agreement until March 30, 2024 and amend the terms of reimbursable costs.

Summary

Alameda CTC entered into a cooperative agreement with the Bay Area Toll Authority (BATA) for toll collection and customer services necessary to operate the I-580 Express Lanes in 2015. The Agreement was subsequently amended in September 2019 to add reimbursable costs for express lanes updates that impact BATA, allow for annual adjustment of reimbursable costs associated ongoing revenue collections services; and extend the term of the Agreement.

BATA provides Customer Service Center (CSC) services for all of the Bay Area Express Lanes and the terms relating to reimbursable costs for revenue collections services are negotiated with BATA in coordination with the other Bay Area express lane operating agencies. This ensures equitability and consistency of sharing of joint costs and cost adjustments are automatically applied as additional express lane facilities begin operations. Many of these costs are direct pass-through costs for services provided by the CSC consultant.

The agreement currently expires March 30, 2022. BATA is requesting that the agreement be extended until March 30, 2024, and is also requesting to add a new reimbursable cost for cash payment network fees. In addition, BATA seeks to amend the terms of the reimbursable costs for operations support such that costs are reviewed and updated on an annual basis, or upon any changes to the CSC contract pricing under BATA's contract with the CSC contractor. The amendment will reflect current unit pricing for various reimbursable costs. Staff recommend that language be added to the amendment to require that BATA provide

documentation of any changes to the costs authorize the Executive Director to approve the changes on behalf of the Commission.

All costs adjusted by this amendment are operational costs and are anticipated and included in the I-580 Express Lanes annual operating budget.

Background

The Alameda CTC operates and maintains the I-580 Express Lanes. Tolls for solo drivers are collected through an All Electronic Toll (AET) collection method by the use of FasTrak® transponders; motorists without transponders are assessed a toll via the vehicle's license plate. Prior to the opening of the facility to traffic in February 2016, the Alameda CTC entered into a cooperative agreement with the Bay Area Toll Authority (BATA) for toll collection and customer services necessary to operate the I-580 Express Lanes as an AET facility. BATA is the only agency in the Bay Area that is set up to distribute FasTrak® / FasTrak flex® transponders (a.k.a. toll tags), maintain accounts, collect tolls, process violation penalties, and provide related customer services for the Bay Area. BATA, therefore, provides these back office services for all of the Bay Area toll facilities. The Agreement was amended in September 2019 to add reimbursable costs for express lanes updates that impact BATA, allow for annual adjustment of reimbursable costs associated ongoing revenue collections services, and extend the term of the Agreement.

At this time, an amendment is requested to extend the term of the Agreement by two years to March 30, 2024. The amendment includes additional protections for Personally Identifiable Information, which are administrative in nature and bring consistency for all regional operators. In addition, BATA is seeking reimbursement for a share of the Cash Payment Network (CPN) fees that are paid on behalf of the customer to the CSC CPN subcontractor. CPN fees are incurred when a customer opts to add funds to their FasTrak account using cash rather than a credit card. The CPN subcontractor charges a fee for this service. BATA had previously required that the customer pay these CPN fees, but recently adopted a revised policy wherein BATA absorbs that costs for these customers. Because the express lanes require that all users enroll in FasTrak, BATA is asking for express lanes operators to pay a share of the CPN fees based on the I-580 Express Lanes proportion of all Bay Area bridge and express lane transactions. BATA staff reported that the CPN fees currently total approximately \$3,000 per month, of which the Alameda CTC would pay only a fraction.

The Agreement already identifies several types of reimbursable costs that support revenue collections services: transaction processing for toll tag and license-plate based transactions, violation notice costs, express lanes accounting specialist, CSC operations and maintenance costs, clean-air vehicle program costs supporting the toll discount program for express lanes, and BATA direct costs for staff support. BATA requests the unit pricing for these costs be reviewed and updated on an annual basis, or upon any changes to the CSC contract pricing under BATA's contract with the CSC contractor. Staff recommend that the Agreement also stipulate that BATA must provide supporting documentation for any such changes, and that the Executive Director is authorized to approve the changes on behalf of the Commission.

Fiscal Impact: Approval of Amendment No. 2 to the Agreement will encumber I-580 Toll Revenue funds for subsequent expenditure through March 30, 2024 subject to the approval of the FY 2022-23 and FY 2023-24 operating budgets.



Memorandum

6.6

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

FROM: Shannon McCarthy, Associate Transportation Planner
Chris G. Marks, Associate Transportation Planner

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

Recommendation

This item is to provide the Commission with 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.

Alameda CTC submitted comments on one NOP since the last update on January 3, 2022, included as Attachment A.

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

Attachment:

- A. Response to the NOP of a Draft EIR for the Mowry Village Project

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January 3, 2022

Art Interiano
City of Newark
37101 Newark Blvd.
Newark, CA, 94560

SUBJECT: Response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Mowry Village Project

Dear Art Interiano,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the Mowry Village Project. The project site is located within the City of Newark on a 29-acre parcel, currently developed as an auto parts and scrap salvage lot.

The proposed project would demolish the existing structures, remediate the site, and construct 203 single-family, detached, 2-story homes. The proposed project would also widen Mowry Ave south of the Union Pacific Railroad Tracks from 49.5 feet to 54 feet to accommodate two 12-foot general purpose lanes in each direction, a median, and turn pockets as well as a six-foot bike lane with a three-foot buffer, a five-foot parking strip and five-foot sidewalks.

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

Basis for Congestion Management Program (CMP) Review

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

Use of Countywide Travel Demand Model

- The Alameda Countywide Travel Demand Model should be used for CMP Land Use Analysis purposes. The CMP requires local jurisdictions to conduct travel model runs themselves or through a consultant. The City of Newark and the Alameda CTC signed a Countywide Model Agreement on April 1, 2009. 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 May 2019 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, SR-84 and Mowry Ave.
 - For the purposes of CMP Land Use Analysis, the Highway Capacity Manual 2010 freeway and urban streets methodologies are the preferred methodologies to study vehicle delay impacts.
 - The Alameda CTC has *not* adopted any policy for determining a threshold of significance for Level of Service for the Land Use Analysis Program of the CMP.
- The DEIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the project include: AC Transit
 - 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.
- 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.

Mitigation Measures

- Alameda CTC's policy regarding mitigation measures is that to be considered adequate they must:
 - Adequately sustain CMP roadway and transit service standards;
 - Be fully funded; and
 - Be 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 use, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered.

Thank you for the opportunity to comment on this NOP. Please contact me at (510) 208 7484 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 "Cathleen", followed by a long horizontal flourish.

Cathleen Sullivan
Director of Planning

cc: Chris G. Marks, Associate Transportation Planner
Shannon McCarthy, Associate Transportation Planner

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Memorandum

6.7

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

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.

Background

The Commission approved the 2022 Legislative Program in December 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 2022 adopted Legislative Program.

Federal Update

The \$1.2 trillion Bipartisan Infrastructure Law (BIL), also known as the Infrastructure Investment and Jobs Act (IIJA) was signed by President Biden on November 15, 2021. The law reauthorizes federal surface transportation and water infrastructure programs. It also provides \$550 billion worth of new, additional spending for transportation, resiliency, energy, environment, broadband, and water investments over five years (FY 2022-2026). The law requires many programs to be established within 180 days, which will be May 14, 2022.

The \$1.75 trillion Build Back Better Act is still pending consideration in the Senate.

Congress passed a Continuing Resolution to fund the government through February 18, 2022, as discussions continue regarding Fiscal Year 2022 Appropriations and Budget.

State Update

The 2022 legislative session is the second year of a two-year session. Two-year bills must be out of their house of origin by January 31, 2022. New bills must be introduced by February 18, 2022.

Staff will continue to track existing legislation and monitor bills as they are introduced.

The Governor's budget proposal was released on January 10th. The budget proposes investing \$9.1 billion in transportation programs, and includes significant focus on climate programs, transit, equity, and active transportation.

Staff and our state advocate will continue to monitor the Governor's budget proposal as it is heard in the Assembly and Senate.

Fiscal Impact: There is no fiscal impact.

Attachment:

- A. Alameda CTC 2022 Legislative Program

2022 Legislative Program

The legislative program herein supports Alameda CTC's goals adopted for the 2020 Countywide Transportation Plan for a transportation system that is:

- *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."*

The Alameda County Transportation Commission will develop strategic partnerships and support efforts that encourage regional and mega-regional cooperation to increase transportation funding and support policies that advance this legislative program.

Core Legislative Priorities
Transportation Funding: Advocate for increased transportation funding to support projects, programs, and operations and seek to 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.
Equity: Advocate for resources, legislation, and initiatives that provide accessible, affordable and equitable transportation opportunities and elevate the needs of equity priority communities. Prioritizing and advancing equity will be considered throughout each policy area of this legislative program.
Safety: Advocate for resources and legislation that enable Alameda CTC to deliver safe, multimodal infrastructure that prioritizes the safety of all users and advances Vision Zero policies and strategies.
Sustainability: Support legislation, strategies and investments that reduce greenhouse gas (GHG) emissions to create sustainable and healthy communities and increase the resiliency of our transportation system and communities, especially for historically impacted equity communities; support investments and funding for alternative fuels and technology to reduce GHG emissions and pollution.
Effective Project Delivery and Operations: Support policies that facilitate efficient and expedited project development and delivery processes, effective operations of the transportation system including Express Lane and HOV operations, and support innovative project delivery.

Transportation Funding: Advocate for increased transportation funding to support projects, programs, and operations and seek to 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.

- Seek, acquire, accept and implement grants to advance project and program delivery.
- Support efforts to increase transportation funding and advance priority projects and programs in Alameda County.
- Support efforts that protect against transportation funding diversions.
- Ensure fair share of sales tax allocations from new laws and regulations.
- Protect and enhance voter-approved funding. Support efforts to lower the two-thirds voter threshold for voter-approved transportation measures.
- Support rewarding Self-Help Counties and states that provide significant transportation funding.
- Support efforts to increase funding and advance policies that support transit, paratransit, and multimodal transportation.
- Support efforts to increase funding to advance safety and active transportation.
- Support policies and funding that enhance Bay Area goods movement and passenger rail funding, delivery and advocacy that enhance the economy, local communities, and the environment.
- Support policies and programs that improve transportation services and infrastructure and do not create unfunded mandates.

Equity: Advocate for resources, legislation, and initiatives that provide accessible, affordable and equitable transportation and elevate the needs of equity priority communities and youth, seniors, disabled, low income and communities of color.

- Providing accessible, affordable and equitable transportation resources will be considered throughout each policy area of this legislative program.
- Support investments in transportation for transit-dependent communities that provide enhanced access to goods, services, jobs and education.
- Support means-based fare programs while being fiscally responsible.
- Support projects and programs that reduce emissions with a particular emphasis on communities historically disproportionately burdened by pollution from the transportation sector.
- Expanding economic opportunities for small and local businesses by leveraging our procurement, contracting and hiring processes and supporting those historically disenfranchised such as women and minority owned businesses.

Safety: Advocate for resources and legislation that enable Alameda CTC to deliver safe, multimodal infrastructure that prioritizes the safety of all users and advances Vision Zero policies and strategies.

- Expand multimodal options, shared mobility and innovative technology.

- 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 policies that advance safety for all users of the transportation system.
- Support advocacy of cooperation and partnership with railroads to advance projects, with a particular interest in rail safety projects.

Sustainability: Support legislation, strategies and investments that reduce greenhouse gas (GHG) emissions to create sustainable and healthy communities and increase the resiliency of our transportation system and communities, especially for historically impacted equity communities; support investments and funding for alternative fuels and technology to reduce GHG emissions and pollution.

- Support funding for infrastructure, operations, and programs to relieve congestion, improve air quality, reduce emissions, expand resiliency and support economic development, including to support transitioning to a zero-emission transportation system.
- Support emerging technologies such as alternative fuels and technology to reduce GHG emissions.
- 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.
- 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 legislation that increases flexibility and reduces barriers for infrastructure improvements that support the linkage between transportation, housing and jobs and leverage opportunities for TOD and PDA implementation, including transportation corridor investments that link PDAs.

Effective Project Delivery and Operations: Support policies that facilitate efficient and expedited project development and delivery processes, effective operations of the transportation system including Express Lane and HOV operations, and support innovative project delivery.

- Advance innovative and cost-effective project delivery.
- Support environmental streamlining, efforts that reduce project and program implementation costs, and expedited project delivery, including contracting flexibility and innovative project delivery methods.

- Support funding and policies to implement transportation projects that create jobs and economic growth, including for apprenticeships and workforce training programs.
- Support HOV/managed lane policies and efforts that promote effective and efficient lane implementation and operations, protect toll operators' management of lane operations and performance, toll rate setting and toll revenue reinvestments, deployment of new technologies and improved enforcement.
- Oppose legislation that degrades HOV lanes that could lead to congestion and decreased efficiency.

Immediate Past President

DAVE HAUBERT

Mayor of Dublin

President

MARILYN EZZY ASHCRAFT

Mayor of Alameda

Vice President

LILY MEI

Mayor of Fremont

Alameda County Mayors' Conference

Alameda
Marilyn Ezzy Ashcraft

February 10, 2022

Albany
Jordan Preston

Sent Via E-Mail

Berkeley
Jesse Arreguin

Angie Ayers

Dublin
Melissa Hernandez

Associate Administrative Analyst

Alameda County Transportation Commission

1111 Broadway, Suite 800

Emeryville
John Bauters

Oakland, CA 94607

Fremont
Lily Mei

Dear Ms. Ayers,

Hayward
Barbara Halliday

At its meeting of February 9, 2022, the Alameda County Mayors' Conference reappointed Jeremy Johansen as the District 3 representative to the Alameda County Transportation Commission Bicycle and Pedestrian Advisory Committee for a two-year term commencing March 1, 2022. If this term is inaccurate, please advise so I can adjust my records.

Livermore
Robert Woerner

Newark
Al Nagy

Please contact Jeremy directly for additional information regarding processing her reappointment.

Oakland
Libby Schaaf

Please contact me if you have any questions regarding this matter.

Piedmont
Teddy Gray King

Sincerely,

steven bocian

Pleasanton
Karla Brown

Steven Bocian

Executive Director, Alameda County Mayors' Conference

San Leandro
Pauline Cutter

sbocian@acmayorsconference.org

[Alameda County Mayors' Conference](#)

Union City
Carol Dutra-Vernaci

c. Jeremy Johansen

Executive Director
Steven Bocian

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1. Call to Order

Sylvia Stadmire, PAPCO Chair, requested Krystle Pasco, Alameda CTC staff, to facilitate the meeting via Zoom. Ms. Pasco called the meeting to order at 1:30 p.m.

Ms. Pasco provided instructions to the Committee regarding the Zoom technology procedures, including instructions on administering public comments during the meeting.

2. Roll Call

A roll call was conducted and all members were present with the exception of Larry Bunn, Bob Coomber, Shawn Costello, Carmen Rivera-Hendrickson, Christine Ross, Michelle Rousey, Will Scott, Linda Smith, Cimberly Tamura, Esther Waltz, and Hale Zukas. A quorum was not present.

Subsequent to the roll call:

Shawn Costello arrived during 5.1.

Larry Bunn arrived during item 5.3.

3. Public Comment

There were no public comments.

4. Approval of Consent Calendar

4.1. Approve the June 28, 2021 PAPCO Meeting Minutes

4.2. Approve the FY 2021-22 PAPCO Meeting Calendar

4.3. Receive the PAPCO Roster

A quorum was not present, and a vote did not take place. Ms. Pasco recapped for the Committee the items on the consent calendar.

5. Paratransit Programs and Projects

5.1. MTC Coordinated Plan Update and Input

Richard Weiner presented this item on behalf of the Metropolitan Transportation Commission (MTC). He noted that MTC is currently working on the Coordinated Public Transit–Human Services Transportation Plan and is approaching Paratransit Coordinating Councils (PCCs) in the Bay Area for input. The plan will coordinate with transit agencies and other local service providers to better meet the transportation needs of older adults, people with disabilities, and low-income populations. Mr. Weiner stated that the Nelson\Nygaard and MTC project team will present highlights and request input from PAPCO as Alameda County's PCC. He asked PAPCO to provide feedback on some of the transportation challenges they face and what will make their lives easier.

5.2. Approve the Paratransit Advisory and Planning Committee Bylaws

Krystle Pasco summarized the recommended changes to the PAPCO Bylaws. She stated that the elected representative serving on AC Transit and BART's East Bay Paratransit (EBP) Service Review Advisory Committee (SRAC) and PAPCO's elected representative serving on Alameda CTC's Independent Watchdog Committee will be updated to reflect biennial elections. Ms. Pasco noted that moving forward the SRAC representative must also be an actual EBP service registered participant/consumer. A quorum was not present and a vote did not take place.

5.3. Approve the Implementation Guidelines and Performance Measures – Special Transportation for Seniors and People with Disabilities (Paratransit) Program for FY 2022-23

Krystle Pasco stated that these guidelines are periodically reviewed and updated. The Implementation Guidelines for the Paratransit Program identify the types of services that are eligible to be funded with Alameda County Measure B, Measure BB, and Vehicle Registration Fee Direct Local Distribution (DLD) revenues. She noted that the Implementation Guidelines and Performance Measures are incorporated by reference into the Master Program Funding Agreements and apply to all paratransit discretionary grant funded programs included in the agency's Comprehensive Investment Plan. Ms. Pasco stated that staff recommends a few revisions, which she reviewed and mentioned that the

modifications are in the packet. A quorum was not present and a vote did not take place.

5.4. Paratransit Discretionary Grant Program Progress Reports for FY 2020-21

Naomi Armenta presented this item to PAPCO on FY 2020-21 funding for the Paratransit Discretionary Grant Program projects. The Commission approved funding for the 2020 Paratransit Discretionary Grant Program on June 17, 2019. PAPCO received a report in February 2021, and grant performance continues to be seriously impacted by COVID-19. Ms. Armenta provided a PowerPoint presentation summarizing progress reports for FY 2020-21. She requested PAPCO members review the overall progress report and provide feedback.

5.5. Mobility Management Update – NADTC – Transportation Needs and Assessment of Diverse Older Adults, Younger Adults with Disabilities and Caregivers

Naomi Armenta presented this item and noted that more detailed information can be found in the agenda packet.

6. Committee and Transit Reports

6.1. Independent Watchdog Committee (IWC)

Herb Hastings noted that the next IWC meeting will be on November 8, 2021 at 5:30 p.m.

6.2. East Bay Paratransit Service Review Advisory Committee (SRAC)

Shawn Costello stated that he could not attend the last SRAC meeting. Naomi Armenta provided an update and mentioned that a presentation was given about the development of the new payment app. A presentation about the Blue Ribbon Task Force and a discussion on the Broker's report also took place.

6.3. Other ADA and Transit Advisory Committees

Herb Hastings noted that the Tri-Valley Accessibility Advisory Committee meeting did not meet in September.

7. Member Reports

Sylvia Stadmire thanked the PAPCO members for their participation for the year. She also thanked staff and Nelson\Nygard for their work this year.

8. Staff Reports

Naomi Armenta provided an update on the upcoming Joint PAPCO and ParaTAC meeting in spring 2022. She requested that PAPCO email staff with any ideas regarding interesting topics to consider for the meeting.

9. Adjournment

The meeting adjourned at 2:40 p.m. The next PAPCO meeting is scheduled for February 28, 2022 at 1:30 p.m.

**Alameda County Transportation Commission
Paratransit Advisory and Planning Committee
Member Roster - Fiscal Year 2021-2022**

	Title	Last	First	City	Appointed By	Term Began	Re apptmt.	Term Expires
1	Ms.	Stadmire, Chair	Sylvia J.	Oakland	Alameda County Board of Supervisors, District 3	Sep-07	Jul-19	Jul-21
2	Ms.	Johnson, Vice Chair	Sandra	San Leandro	Alameda County Board of Supervisors, District 4	Sep-10	Jul-19	Jul-21
3	Mr.	Barranti	Kevin	Fremont	City of Fremont	Feb-16		Feb-18
4	Mr.	Bunn	Larry	Union City	Union City Transit	Jun-06	Feb-19	Feb-21
5	Mr.	Coomber	Robert	Livermore	City of Livermore	May-17	May-19	May-21
6	Mr.	Costello	Shawn	Dublin	City of Dublin	Sep-08	Jun-16	Jun-18
7	Mr.	Hastings	Herb	Dublin	Alameda County Board of Supervisors, District 1	Mar-07	Oct-18	Oct-20
8	Mr.	Lewis	Anthony	Alameda	City of Alameda	Jul-18		Jul-20
9	Rev.	Orr	Carolyn M.	Oakland	City of Oakland	Oct-05	Jan-14	Jan-16
10	Ms.	Rivera-Hendrickson	Carmen	Pleasanton	City of Pleasanton	Sep-09	Apr-19	Apr-21
11	Ms.	Ross	Christine	Hayward	Alameda County Board of Supervisors, District 2	Oct-17	Dec-19	Dec-21

	Title	Last	First	City	Appointed By	Term Began	Re apptmt.	Term Expires
12	Ms.	Rousey	Michelle	Oakland	BART	May-10	Jan-16	Jan-18
13	Mr.	Scott	Will	Berkeley	Alameda County Board of Supervisors, District 5	Mar-10	Jun-16	Jun-18
14	Ms.	Smith	Linda	Berkeley	City of Berkeley	Apr-16		Apr-18
15	Mr.	Suter	John	Emeryville	City of Emeryville	May-21		May-23
16	Ms.	Tamura	Cimberly	San Leandro	City of San Leandro	Dec-15	Mar-19	Mar-21
17	Ms.	Waltz	Esther Ann	Livermore	LAVTA	Feb-11	Jun-16	Jun-18
18	Mr.	Zukas	Hale	Berkeley	A. C. Transit	Aug-02	Feb-16	Feb-18



Memorandum

8.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: February 17, 2022

TO: Alameda County Transportation Commission

FROM: Vivek Bhat, Director of Programming and Project Controls
John Nguyen, Principal Transportation Planner
Jacki Taylor, Senior Program Analyst

SUBJECT: One Bay Area Grant Cycle 3 and 2024 Comprehensive Investment Plan Update

Recommendation

Receive an update on the upcoming Metropolitan Transportation Commission (MTC) One Bay Area Grant Cycle 3 (OBAG 3) discretionary funding opportunity and the planned coordination with the development of the Alameda CTC's 2024 Comprehensive Investment Plan (2024 CIP). This item is for information only.

Summary

The One Bay Area Grant (OBAG) program is MTC's policy and programming framework for investing regional shares of certain federal discretionary funding sources such as Surface Transportation Block Grant Program (STBG) and Congestion Mitigation and Air Quality Improvement (CMAQ) throughout the region. In January 2022, MTC adopted MTC Resolution 4505, the OBAG 3 Project Selection and Programming Policy Framework (OBAG 3 Framework). The OBAG 3 Framework ([Attachment A](#)) identifies a total of \$750 million over a 4-year period, FYs 2022-23 through 2025-26, with the funding split an even 50/50 between Regional and County programs. MTC has yet to release county-specific OBAG 3 funding/project nomination targets, but based on the prior OBAG 2 distribution, the OBAG 3 funding for Alameda County is anticipated to be in the \$60-70 million range.

For Alameda County, the OBAG 3 project nomination process is planned to be coordinated with the programming of various Alameda CTC local discretionary funding sources available through the 2024 CIP, with a combined call for project nominations for both OBAG 3 and 2024 CIP funding tentatively scheduled for release in May 2022.

Background

In 2012, MTC established the OBAG program to strengthen the connection between transportation investments and the goals of the Bay Area's Regional Transportation Plan and Sustainable Community Strategy, referred to collectively as Plan Bay Area, by focusing transportation investments within Priority Development Areas (PDAs) and requiring jurisdictions to comply with certain state and regional policies. The OBAG Cycle 2 Program was adopted in 2015 with a similar framework.

OBAG 3 Program

For OBAG 3 a total of \$750 million will be available over a four-year horizon, from FYs 2022-23 through 2025-26, with the funding split 50/50 between the Regional and County Programs. The adopted OBAG 3 Framework, MTC Resolution 4505, is included as [Attachment A](#). In the Framework, MTC has made strategic updates to align principles and programs with Plan Bay Area 2050 strategies, advance regional goals for equity and safety, and addresses federal programming requirements. The Framework identifies and describes the following principles and program categories:

OBAG 3 Program Principles:

- Preserve effective program features from prior OBAG cycles to support regional objectives.
- Strategically advance Plan Bay Area 2050 implementation through OBAG investments and policies.
- Incorporate recent MTC policy initiatives and adapt to the current mobility landscape.
- Advance equity and safety through policies and investments.
- Address federal planning and programming requirements.
- Coordinate with complementary fund sources to develop a comprehensive regional investment strategy.

OBAG 3 Program Categories:

- Planning & Program Implementation;
- Growth Framework Implementation;
- Climate, Conservation, and Resilience;
- Complete Streets and Community Choice; and
- Multimodal Systems Operations and Performance.

MTC will directly administer the Regional Program through programs that will provide investments towards each Program Category. For the County Program, local jurisdictions, transit agencies, and County Transportation Agencies (CTAs) may apply for funding for a variety of project types and program categories. The Framework includes examples of eligible project types that align with each program category. Detailed County Program guidelines, including funding/nomination targets and

application requirements are anticipated to be approved by MTC by April 2022. The following table identifies the approved funding distribution by program category:

OBAG 3 Investments by Program Category (in millions):

Category	Objective	Regional Program	County/Local Program
Planning & Program Implementation	Carry out federal performance-based planning and programming and deliver OBAG 3 projects and programs	\$50	\$35
Growth Framework Implementation	Support and assist local efforts to create a range of housing options in PDAs and select PBA 2050 Growth Geographies	\$25	\$340
Climate, Conservation & Resilience	Reduce vehicle emissions through accelerated electrification and travel demand management, protect and expand access to open space, and increase resiliency to climate change impacts	\$98	
Complete Streets & Community Choice	Support improvements to all mobility options, with emphasis on achieving an integrated, efficient, and reliable public transit network	\$54	
Multimodal System Operations & Performance	Improve and maintain local streets and roads for all users, with emphasis on safety, community support, and Equity Priority Community (EPC) investments	\$149	
Regional/County Totals (may not add due to rounding)		\$375	\$375
OBAG 3 Program Total		\$750	

Updates to Prior OBAG Cycle:

MTC's OBAG 3 Framework includes the following key provisions and changes from the prior OBAG cycle:

- MTC will have a larger role in the County Program's call for projects and final project selection, per federal programming requirements. Similar to the process used for last year's Safe and Seamless Mobility Quick-strike Program, MTC will adopt guidance and nomination targets and select projects based on initial county screening and prioritization and additional regional considerations.

- County funding/nomination targets will not represent a guaranteed minimum funding level for counties or individual jurisdictions. Counties will be able to request up to 120% of the established target. As with OBAG 2, the first year of OBAG 3, FY 2022-23, will be reserved for County Planning funds and ongoing Countywide Safe Routes to School Program funding. Funding for new programs and projects will be available in FYs 2023-24 through 2025-26.
- A focus on investments in PDAs continues, maintaining the existing OBAG requirement for a minimum of 70% of funds to be programmed to PDA-supportive projects (a 50% minimum for North Counties). For OBAG 3, the Framework includes a uniform definition for PDA-supportive projects: projects are to be located within one mile of a PDA; with allowance for exceptions.
- A broad range of project types allowed, but with an emphasis on:
 - Bicycle/pedestrian, Safe Route to School, and other safety efforts, including projects on designated High injury Networks (HINs);
 - Projects within Equity Priority Areas or that otherwise benefit equity;
 - Transit access or other improvements to accelerate transit-oriented development.
- Existing policy compliance requirements are maintained with updates incorporated to align with current state housing laws and planned updates to MTC's Active Transportation Plan and Complete Streets Policy and Transit Oriented Development and Transit Oriented Communities (TOD/TOC) policies during spring 2022. A new policy compliance requirement has been added for jurisdictions to have a completed Local Road Safety Plan by December 31, 2023.

2024 Comprehensive Investment Plan

For Alameda County, the OBAG 3 programming process will be coordinated with the development of the Alameda CTC's 2024 CIP, starting with a combined call for project nominations scheduled for May 2022. To prepare for the coordinated call, staff has prepared a draft programming schedule (Attachment B).

During spring 2022, staff will review existing CIP policies and develop a 2024 CIP fund estimate which may include Alameda CTC-administered discretionary funding sources such as 2014 Measure BB, Vehicle Registration Fee and Transportation Fund for Clean Air. Applicants will have between 4-6 weeks to submit applications. Staff will first screen and evaluate projects for federal OBAG 3 funding eligibility and competitiveness and develop a recommended list of OBAG 3 nominations for Commission approval in September.

Based on MTC's approval of an OBAG 3 program of projects, anticipated in January 2023, staff will then move forward in spring 2023 with a programming recommendation for the local 2024 CIP funding sources.

Next Steps

Attachment B includes a draft coordinated programming schedule. Over the next few months Alameda CTC staff will develop the fund estimate and programming process for a coordinated OBAG 3 and 2024 CIP call for projects. The 2022 CIP Update is scheduled for Commission approval in April 2022 which will include recommendations for OBAG 3 Planning and Countywide Safe Route to Schools funding in addition to any proposed CIP policy updates for the 2024 CIP. A coordinated countywide call for projects for OBAG 3 and the 2024 CIP funding is anticipated to be released in May 2022, following MTC's release of the OBAG 3 County Program targets and guidance. An Alameda CTC Commission-approved list of OBAG 3 project nominations is due to MTC by September 30, 2022.

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

Attachments:

- A. [MTC Resolution 4505, OBAG 3 Framework, approved January 26, 2022](#)
- B. Alameda CTC Draft Coordinated OBAG 3 and 2024 CIP Development Schedule

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Draft Coordinated OBAG 3 and 2024 CIP Development Schedule

<u>Alameda CTC Activity</u>	<u>Date</u>	<u>MTC Activity</u>
	January 2022	<ul style="list-style-type: none"> • Approve OBAG 3 Policy and Procedures Framework
<ul style="list-style-type: none"> • 2022 CIP Update/ 2024 CIP including OBAG 3 Information Item to ACTAC/PPC/Commission 	February 2022	
<ul style="list-style-type: none"> • Development of County-level OBAG 3 Call for Projects/ Prioritization Process • Development of 2024 CIP Process • Review/approve updates to CIP Programming Policies • Development of coordinated OBAG 3 2024 CIP application • Approval of 2022 CIP Update (Includes OBAG 3 Augmentation for Planning and SR2S) 	April 2022	<ul style="list-style-type: none"> • Review CTA-proposed OBAG 3 processes
<ul style="list-style-type: none"> • Release of Coordinated OBAG 3 and 2024 CIP Call for Projects 	May 2022	<ul style="list-style-type: none"> • Release OBAG 3 call for project nominations to CTAs
<ul style="list-style-type: none"> • Call for Projects application period (approximately 45-60 days) 	May – June, 2022	
<ul style="list-style-type: none"> • OBAG 3 scoring and development of project nominations for MTC 	July - August 2022	
<ul style="list-style-type: none"> • OBAG 3 prioritized nominations due to MTC by September 30th • Commission approval needed 	September 2022	
<ul style="list-style-type: none"> • Develop staff recommendations for 2024 CIP local funding sources • MTC Resolution of Local Support approved by OBAG 3 nominated project sponsors 	October - January 2022	<ul style="list-style-type: none"> • Regional evaluation of CTA OBAG 3 project nominations • CMAQ emissions benefits & cost effectiveness • MTC discusses preliminary staff recommendations with CTAs
<ul style="list-style-type: none"> • OBAG 3 project sponsors prepare 2023 TIP applications 	January 2023	<ul style="list-style-type: none"> • MTC approves OBAG 3 program
<ul style="list-style-type: none"> • OBAG 3 info item to ACTAC (as needed) • Finalize staff recommendations for 2024 CIP 	February 2023	<ul style="list-style-type: none"> • MTC TIP programming approval

• Approval of 2024 CIP	March - April 2023	
• Resolutions and Project Funding Agreements for 2024 CIP local funding sources	April -June 2023	
• Start date for 2024 CIP local funding allocated in 2023-24	July 2023	



1111 Broadway, 24th Floor
Oakland, CA 94607-4036

T: 510.834.6600
F: 510.834.1928

www.wendel.com
nparish@wendel.com

MEMORANDUM

February 15, 2022

TO: Alameda CTC

FROM: R. Zachary Wasserman and Neal Parish

RE: Consider and Adopt Findings Pursuant to Government Code Section 54953(e) (AB 361) to Continue Remote Commission and Committee Meetings

As has been discussed at previous Commission meetings beginning in September of last year, AB 361 requires that each local agency make appropriate findings at least every 30 days if the agency wishes to continue holding remote meetings of its legislative bodies. This requirement will apply throughout the duration of the current state of emergency declared by the Governor, until and unless the Brown Act is further amended or clarified pursuant by Governor Newsom through an Executive Order. The Commission last made these findings at the regular Commission meeting held on January 27, 2022.

In order to hold the regularly scheduled March 24, 2022 meeting of the Commission on a remote basis, and also to hold remote meetings of certain Alameda CTC Advisory and Standing Committees scheduled for the days between February 24 and March 24, 2022, the Commission must approve a motion making the following findings:

Pursuant to Government Code Section 54953(e)(1), the Alameda County Transportation Commission hereby (i) determines that there continues to be a state of emergency proclaimed by the State of California and the County of Alameda based upon the COVID-19 Pandemic; (ii) finds that the Commission has reconsidered the circumstances of the state of emergency and the findings previously adopted by the Commission pursuant to said Section 54953(e)(1); (iii) determines that today's meeting is held less than 30 days after January 27, 2022, the date Alameda CTC most recently reconsidered the circumstances of the state of emergency pursuant to said Section 54953(e)(1); and (iv) further finds that the state of emergency continues to directly impact the ability of the Commission and other legislative bodies of Alameda CTC to meet safely in person; and therefore Alameda CTC will continue to follow the provisions of Government Code Section 54953(e)(2) with respect to meetings of the Commission and any other legislative body of Alameda CTC, including but not limited to each of the Standing Committees and any Advisory Committee, subject to continued compliance and review pursuant to Section 54953(e)(3).

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