



Planning, Policy and Legislation Committee Meeting Agenda Monday, March 14, 2022, 11:30 a.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.

Committee Chair: Rebecca Saltzman, BART
Vice Chair: Barbara Halliday, City of Hayward
Members: Dave Brown, Keith Carson,
Luis Freitas, Rebecca Kaplan,
Teddy Gray King, Lily Mei,
Rigel Robinson
Ex-Officio: John J. Bauters, Elsa Ortiz

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

Location Information:

Virtual Meeting Information: <https://us06web.zoom.us/j/82055565379?pwd=QThoaEJvcIYzMCTxdXhWbWxDZWWh5UT09>
Webinar ID: 820 5556 5379
Password: 582651

For Public Access
Dial-in Information: **(669) 900-6833**
Webinar ID: 820 5556 5379
Password: 582651

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

1. Call to Order

2. Roll Call

3. Public Comment

4. Consent Calendar Page/Action

- | | | |
|---|----|---|
| 4.1. Approve February 14, 2022 PPLC Meeting Minutes | 1 | A |
| 4.2. Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments | 3 | I |
| 4.3. Approve an Update to the Independent Watchdog Committee Bylaws | 13 | A |
| 4.4. Approve an Update to the Paratransit Advisory and Planning Committee Bylaws | 27 | A |

5. Regular Matters

- | | | |
|---|----|-----|
| 5.1. 2021 Multimodal Performance Report | 43 | I |
| 5.2. Approve the San Pablo Avenue Multimodal Corridor Project Concept for Further Project Development | 47 | A |
| 5.3. Federal, state, regional, and local legislative activities update | 53 | I/A |

6. Committee Member Reports

7. Staff Reports

8. Adjournment

Next Meeting: Monday, April 11, 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 March through April 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
Vice-Mayor 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
2:00 p.m.	Alameda CTC Commission	March 24, 2022 April 28, 2022
9:30 a.m.	Alameda CTC Commission Retreat	March 30, 2022
10:00 a.m.	Programs and Projects Committee (PPC)	April 11, 2022
11:30 a.m.	Planning, Policy and Legislation Committee (PPLC)	

Advisory Committee Meetings

5:30 p.m.	Independent Watchdog Committee (IWC)	March 14, 2022
1:30 p.m.	Alameda County Technical Advisory Committee (ACTAC)	April 7, 2022
1:00 p.m.	Paratransit Program Plan Review	April 25-26, 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](http://www.AlamedaCTC.org). Meetings subject to change.

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Planning, Policy and Legislation Committee
Meeting Minutes
Monday, February 14, 2022, 11:30 a.m.

4.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 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 Commissioner Cutter.

Commissioner Cox was present as the alternate for Commissioner Brown.

Subsequent to the roll call:

Commissioner Cutter arrived during item 5.1.

3. Public Comment

There were no public comments.

4. Consent Calendar

4.1. Approve January 10, 2022 PPLC Meeting Minutes

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

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

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

No: None

Abstain: None

Absent: Cutter

5. Regular Matters

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

Maisha Everhart introduced Jen Covino of Simon and Company, Inc. and Lynn Jacquez of C.J. Lake, LLC, who provided the update. Ms. Covino and Ms. Jacquez focused on a highlight of federal legislation, including the implementation of the Bipartisan Infrastructure Law, which provides funding for highways and transit agencies and the National Electric Vehicle Infrastructure Formula Program. This was an informational item only.

6. Committee Member Reports

Commissioners Bauters and Ortiz noted that on February 7, 2022, Alameda CTC and several agencies hosted California Department of Transportation Director, Toms Omishakin, on a bicycle and bus tour to highlight projects in the County, including the Emeryville Greenway, AC Transit's zero emission bus program, the Port of Oakland projects, the Oakland Alameda Access Project, East Bay Greenway/E 14th Multimodal Project, and projects that enhance safety. Commissioner Bauters noted that Governor Newsom appointed Toms Omishakin as the Secretary of the California State Transportation Agency on February 7, 2022 as well.

7. Staff Reports

Tess Lengyel noted that during the tour with Secretary Omishakin, they visited the Port of Oakland and showed him the zero emissions truck initiatives underway at the Port. Ms. Lengyel also noted that she has been selected to serve on the California Association of Councils of Government's Legislative Committee to review and assess state bills along with other elected and staff representatives around the state.

8. Adjournment/ Next Meeting

The next meeting is: March 14, 2022, at 11:30 a.m.



Memorandum

4.2

1111 Broadway, Suite 800, Oakland, CA 94607

• PH: (510) 208-7400

• www.AlamedaCTC.org

DATE: March 7, 2022

TO: Planning, Policy and Legislation Committee

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 two NOPs since the last update on February 7, 2022, included as Attachments A and B.

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

Attachments:

- A. Response to the NOP of a Draft EIR for the City of Berkeley Housing Element Update
- B. Response to the NOP of a Supplemental Draft Program EIR for the City of San Leandro Housing Element and General Plan Update

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February 9, 2022

Grace Wu, Senior Planner
 City of Berkeley, Land Use Planning Division
 1947 Center St, 2nd Floor
 Berkeley, CA, 94704

SUBJECT: Response to the Notice of Preparation (NOP) of a Draft Environmental Impact Report for the City of Berkeley Housing Element Update

Dear Grace Wu,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the City of Berkeley Housing Element Update. The project would include all 17.2 square miles of the City of Berkeley, located in northern Alameda County. The proposed comprehensive Housing Element Update will be based on the City's latest Regional Housing Needs Allocation which requires the City of Berkeley's zoning and other land use regulations to accommodate between approximately 9,750 and 10,500 new units. The Housing Element Update will identify suitable and available housing sites by screening for vacant and underutilized parcels, evaluating sites and calculating the capacity of potential buildouts. The Land Use Element of the General Plan will be updated as needed to maintain consistency with the updated Housing Element.

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 Berkeley and the Alameda CTC signed a Countywide Model Agreement on September 15, 2010. 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 plan on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the plan area include:
 - I-80/I-580 in Berkeley, Emeryville, and Albany
 - SR-24 in Berkeley and Oakland
 - SR 123/San Pablo Avenue in Berkeley, Emeryville, Albany, and Oakland
 - SR 13/Ashby Avenue in Berkeley and Oakland
 - University Avenue in Berkeley, and Shattuck Avenue, Telegraph Avenue, and Martin Luther King Jr. Boulevard in Berkeley and Oakland
 - 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 plan include: AC Transit, BART, and Capital Corridor
 - 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 plan to people biking and walking in and near the plan 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, 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 'Cath', with a long horizontal flourish extending to the right.

Cathleen Sullivan
Director of Planning

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

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February 9, 2022

Avalon Schultz, AICP, Principal Planner
 City of San Leandro Community Development Department
 835 East 14th Street
 San Leandro, CA, 94557

SUBJECT: Response to the Notice of Preparation (NOP) of a Supplemental Draft Program Environmental Impact Report for the City of San Leandro Housing Element and General Plan Update

Dear Avalon Schultz,

Thank you for the opportunity to comment on the Notice of Preparation (NOP) of the Supplemental Program Environmental Impact Report (EIR) for the San Leandro Housing Element and General Plan Update. The project would include all of the City of San Leandro, located in northern Alameda County. The proposed Housing Element and General Plan updates would change the previously approved General Plan Update based on the City's latest Regional Housing Needs Allocation (RHNA), which require the City to plan for a minimum of 3,855 residential units. The Housing Element Update will identify adequate housing sites in addition to considering housing affordability, preservation, homelessness, equity and energy conservation. The Land Use Element of the General Plan will be updated as needed to reflect new housing sites identified in the Housing Element, which could require minor changes to the Zoning Map and Zoning Code Amendments.

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 San Leandro and the Alameda CTC signed a Countywide Model Agreement on April 1, 2008. Before the model can be used for this project, a letter must be submitted to the Alameda CTC requesting use of the model and describing the project. A copy of a sample letter agreement is available upon request. The most current version of the Alameda CTC Countywide Travel Demand Model was updated in May 2019 to be consistent with the assumptions of Plan Bay Area 2040.

Impacts

- The Supplemental Program EIR should address all potential impacts of the plan on the Metropolitan Transportation System (MTS) roadway network.
 - MTS roadway facilities in the plan area include:
 - I-880, I-580, and I-238 in San Leandro, Oakland, Unincorporated Alameda County and Hayward
 - SR-112/Davis Street San Leandro
 - SR-185 East-14th Street in San Leandro and Unincorporated Alameda County
 - Washington Avenue in San Leandro and Unincorporated Alameda County
 - 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 Supplemental Program EIR should address potential impacts of the project on Metropolitan Transportation System (MTS) transit operators.
 - MTS transit operators potentially affected by the plan include: AC Transit, BART, and Capital Corridor
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 - 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 Supplemental Program EIR should discuss the adequacy of proposed mitigation measure according to the criteria above. In particular, the Supplemental Program EIR should detail when proposed roadway or transit route improvements are expected to be completed, how they will be funded, and the effect on service standards if only the funded portions of these mitigation measures are built prior to Project completion. The Supplemental Program EIR should also address the issue

of transit funding as a mitigation measure in the context of the Alameda CTC mitigation measure criteria discussed above.

- Jurisdictions are encouraged to discuss multimodal tradeoffs associated with mitigation measures that involve changes in roadway geometry, intersection control, or other changes to the transportation network. This analysis should identify impacts to automobiles, transit, bicyclists, and pedestrians. The HCM 2010 MMLOS methodology is encouraged as a tool to evaluate these tradeoffs, but project sponsors may use other methodologies as appropriate for particular contexts or types of mitigations.
- The Supplemental Program EIR should consider the use of TDM measures, in conjunction with roadway and transit improvements, as a means of attaining acceptable levels of service. Whenever possible, mechanisms that encourage ridesharing, flextime, transit, bicycling, telecommuting and other means of reducing peak hour traffic trips should be considered.

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.

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Cathleen Sullivan
Director of Planning

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

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Memorandum

4.3

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: March 7, 2022

TO: Planning, Policy and Legislative Committee

FROM: Patricia Reavey, Deputy Executive Director of Finance and Administration

SUBJECT: Approve an update to the Independent Watchdog Committee Bylaws

Recommendation

Staff is recommending approval of an update to the Independent Watchdog Committee (IWC) bylaws, attached in redline.

Summary

Alameda CTC's Independent Watchdog Committee (IWC) reviewed the bylaws of their committee during their January 10, 2022 meeting and have proposed edits. Staff has modified the currently adopted IWC bylaws in the attached redlined version to incorporate almost all of the edits proposed by the IWC. Staff has provided a matrix in Attachment A of the differences between the IWC proposed edits and staff's recommended edits shown in the attached redlined version of the bylaws.

Per Article 5.1 of Alameda CTC's Administrative Code, the Commission is responsible for adopting and amending the bylaws for the IWC, as deemed necessary. Staff does not foresee any issues with most of the edits proposed by the IWC, which are administrative in nature, and has clarified any differences between IWC proposed edits and staff's recommended edits in the attached matrix. Staff recommends approval by the Commission of the updates to the IWC bylaws as outlined in Attachment B.

Background

The Independent Watchdog Committee (IWC), as defined in the 2014 Transportation Expenditure Plan (TEP), is the same committee as the Citizens Watchdog Committee, as defined in the 2000 TEP. The required composition of the IWC is defined in the 2000 and 2014 TEPs. The IWC is a 17-member committee that reports directly to the public and is charged with reviewing all Measure B expenditures and Measure BB expenditures and

performance measures, as appropriate. The members are Alameda County residents who are not elected officials at any level of government, nor individuals in a position to benefit personally in any way from the Measure B or Measure BB sales tax.

Fiscal Impact: There is no fiscal impact related to the approval of this item.

Attachments:

- A. Independent Watchdog Committee Bylaws Recommendations Matrix
- B. Independent Watchdog Committee Bylaws (redlined)

Independent Watchdog Committee Bylaws Recommendations Matrix

Section	IWC Recommendation	Staff Recommendation
2.3.1	Remove the words "by resolution"	Replace the words "by resolution" with "in writing via paper or email" in order to ensure that Alameda CTC has a written record of the IWC's suggestions and/or concerns and that there is no ambiguity or uncertainty about the IWC's suggestions and/or concerns when addressing the Commission.
2.3.3	Add an item to IWC's Additional Responsibilities section as follows: "Receive notice from Alameda CTC staff about scheduled discussion by Alameda CTC Advisory Committees or Standing Committees of program or project performance measures."	Leave this section unchanged. The requested additional responsibility is not designated as an IWC responsibility in the voter approved Transportation Expenditure Plan. Additionally, all meetings of Alameda CTC's Advisory and Standing Committees are publicly noticed, and interested IWC members can sign up to receive automatic notification of those meetings.
4.1.1	Modify the second sentence of 4.1.1 by inserting the underlined and bold language shown below: "The chair shall, <u>at their option,</u> serve as a voting ex-officio member of all subcommittees..."	Modify the second sentence of 4.1.1 by deleting the struck through word and inserting the underlined and bold language shown below: "The chair shall <u>may, but is not obligated to,</u> serve as a voting ex-officio member of all subcommittees..." This is slightly different than what the IWC recommended, and represents a more clear means of achieving the goals of the amendment based on discussions at the IWC meeting.
5.3	Modify this section by deleting the struck through text and inserting the underlined and bold language shown below: "For purposes of decision making, a quorum shall consist of at least half (50 percent) plus one <u>a majority</u> of the total number of members appointed at the time a decision is made. Members will not take actions at meetings with less than 50 percent plus one <u>a majority of</u> members present."	Replace the entirety of 5.3 with: "A majority of the appointed members of the Committee constitutes a quorum for the transaction of business of the Committee, except that less than a quorum may adjourn from time to time. The Committee may discuss, and distribute information on, any item on the Committee's agenda even if a quorum is not present, but may not take any action until or unless a quorum is present." This proposed wording is more clear and corresponds to language in Section 4.2 <i>Rules for Proceedings</i> of Alameda CTC's Administrative Code.

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Independent Watchdog Committee Bylaws

Article 1: Definitions

1.1 2000 Transportation Expenditure Plan. The plan for expending transportation sales tax (Measure B) funds, presented to the voters in 2000, and implemented in 2002.

1.2 2014 Transportation Expenditure Plan. The plan for expending transportation sales tax (Measure BB) funds, presented to the voters in 2014, and implemented in 2015.

1.3 Agency. A business or government organization established to provide a particular service.

1.4 Alameda County Transportation Commission (Alameda CTC). Alameda CTC is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency ("ACCMA") and the Alameda County Transportation Improvement Authority ("ACTIA"). The 22-member Alameda CTC Commission ("Commission") is comprised of the following representatives:

1.4.1 All five Alameda County Supervisors.

1.4.2 Two City of Oakland representatives.

1.4.3 One representative from each of the other 13 incorporated cities in Alameda County.

1.4.4 A representative from Alameda-Contra Costa Transit District ("AC Transit").

1.4.5 A representative from San Francisco Bay Area Rapid Transit District ("BART").

1.5 Alameda County Transportation Improvement Authority (ACTIA). The governmental agency previously responsible for the implementation of the Measure B half-cent transportation sales tax in Alameda County, as approved by voters in 2000 and implemented in 2002. Alameda CTC has now assumed responsibility for administration of the sales tax.

1.6 Appointing Party. A person or group designated to appoint committee members.

1.7 At-Large Member. One of the 10 Independent Watchdog Committee (IWC) members representing supervisorial districts as described in Section 3.1.1 below.

1.8 Bicycle and Pedestrian Advisory Committee (BPAC). The Alameda CTC Committee that involves interested community members in the Alameda CTC's policy, planning, and implementation efforts related to bicycling and walking.

1.9 Brown Act. California's open meeting law, the Ralph M. Brown Act, California Government Code, Sections 54950 *et seq.*

1.10 Expenditures. Costs incurred and paid for with funds generated from the Measure B and Measure BB sales taxes.

1.11 Fiscal Year. July 1 through June 30.

1.12 Independent Watchdog Committee (IWC or "Committee"). The Alameda CTC Committee of individuals created by the Commission as required by Measure BB. This Committee was originally created by the ACTIA Board and called the Citizens Watchdog Committee as required by Measure B, and was continued by the Commission subsequent to the passage of Measure BB as the Independent Watchdog Committee. The Committee has the same composition as the Citizens Watchdog Committee required by Measure B. The Committee reports directly to the public and has the responsibility of reviewing all Measure B expenditures and reviewing and overseeing all Measure BB expenditures and performance measures of the agency, as appropriate. IWC members are Alameda County residents who are not elected officials at any level of government, nor individuals in a position to benefit personally in any way from the sales tax.

1.13 Local Newspapers. Periodical publications typically published weekly or daily that serve a city, cities or unincorporated communities within Alameda County, whereby the contents are reasonably accessible to the public. On-line publications of these periodicals are included in this definition.

1.14 Measure B. The measure approved by the voters authorizing the half-cent sales tax for transportation services now collected and administered by the Alameda CTC and governed by the 2000 Transportation Expenditure Plan. Collections for the sales tax authorized by Measure B began on April 1, 2002 and extends through March 31, 2022.

1.15 Measure BB. The measure approved by the voters authorizing the sales tax for transportation services collected and administered by the Alameda CTC and governed by the 2014 Transportation Expenditure Plan. Measure BB augments the half-cent Measure B sales tax by a half cent, beginning April 1, 2015 through March 31, 2022. The full one-cent sales tax authorized by Measure BB will begin April 1, 2022 and will extend through March 31, 2045.

1.16 Measure B Program. Transportation or transportation-related program specified in the 2000 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

1.17 Measure BB Program. Transportation or transportation-related program specified in the 2014 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

1.18 Measure B Project. Transportation and transportation-related capital projects specified in the 2000 Transportation Expenditure Plan for funding in the amounts allocated in the 2000 Transportation Expenditure Plan.

1.19 Measure BB Project. Transportation and transportation-related capital projects specified in the 2014 Transportation Expenditure Plan for funding in the amounts allocated in the 2014 Transportation Expenditure Plan.

1.20 Monitor. To observe, track, or keep a record of Measure projects, programs, and expenditures.

1.21 Organizational Meeting. An organizational meeting of the IWC will be held in July to elect officers and adopt the annual calendar/work plan and review the Alameda CTC budget related to IWC.

1.22 Organizational Member. One of the seven IWC members representing organizations as described in Section 3.1.2 below.

1.23 Oversee. To watch over Measure BB expenditures and performance measures.

1.24 Paratransit Advisory and Planning Committee (PAPCO). The Alameda CTC Committee that meets to address funding, planning, and coordination issues regarding paratransit services in Alameda County. Members must be Alameda County residents and eligible users of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a Paratransit Technical Advisory Committee comprised of Measure B and Measure BB-funded paratransit providers in Alameda County.

1.25 Performance Measures. Quantifiable methods, adopted by the Commission, used to assess how well the Alameda CTC is achieving its adopted objectives for Measure BB projects and programs.

1.26 Planning Area. Geographic groupings of cities and Alameda County for planning and funding purposes. North County: Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont; Central County: Hayward, San Leandro, unincorporated county (near Hayward); South County: Fremont, Newark, Union City; East County: Dublin, Livermore, Pleasanton, the unincorporated area of Sunol.

1.27 Subcommittee. A subset of the IWC, less than a quorum, usually organized for a certain purpose.

Article 2: Purpose and Responsibilities

2.1 Committee Purpose. The Committee is appointed pursuant to Measure B and Measure BB: 1) to review all expenditures of the Measure B transportation sales tax; 2) to review and oversee all expenditures and performance measures, as appropriate, of the Measure BB transportation sales tax; 3) to monitor Measure B and Measure BB funded projects and programs; and 4) to report directly to the public.

2.2 Committee Roles and Responsibilities from Expenditure Plan. As defined by the Measure B and Measure BB Transportation Expenditure Plans, the roles and responsibilities of the Committee include:

2.2.1 Hold public hearings and issue reports, on at least an annual basis, to inform Alameda County residents about how the sales tax funds are being spent. The hearings will be open to the public and must be held in compliance with the Brown Act, California's open meeting law, with information announcing the hearings well-publicized and posted in advance.

2.2.2 Have full access to Alameda CTC's independent auditor and have the authority to request and review specific information regarding use of the sales tax funds and to comment on the auditor's reports.

2.2.3 Publish an independent annual report, including any concerns the committee has about audits it reviews. The report will be published in local newspapers and will be made available to the public in a variety of forums to ensure access to this information.

2.2.4 Provide a balance of viewpoints, geography, age, gender, ethnicity and income status, to represent the different perspectives of the residents of the county.

2.3 Additional Responsibilities. Additional IWC ~~member~~ responsibilities are to:

2.3.1 Communicate from time to time to the Alameda CTC in writing via paper or email-by-resolution, suggestions and concerns pertinent to the administration and expenditure of Measure B and Measure BB funds.

2.3.2 Communicate as necessary to recommend that an appointing party appoint a new member when there is a vacancy or upcoming end of term.

Article 3: Members

3.1 Number of Members. The IWC will consist of 17 members.

3.1.1 Ten members shall be at-large, two each representing the five supervisorial districts in Alameda County, one of the two nominated by a member of the Board of Supervisors and one of the two selected by the Alameda County Mayors' Conference.

3.1.2 Seven of the members shall be nominated by the seven organizations specified in the 2014 Transportation Expenditure Plan: East Bay Economic Development Alliance; Alameda County Labor Council; Alameda County Taxpayers' Association; Alameda County Paratransit Advisory and Planning Committee; Bike East Bay, formerly known as East Bay Bicycle Coalition; League of Women Voters; and Sierra Club.

3.2 Appointment. The Commission will make appointments in the following manner:

3.2.1 Each member of the Alameda County Board of Supervisors shall select one At-Large Member to represent ~~their~~^{his or her} supervisorial district.

3.2.2 The Alameda County Mayors' Conference shall select one At-Large Member to represent each of the five supervisorial districts.

3.2.3 Each organization listed in Section 3.1.2 above shall, subject to approval by the Commission, select one organizational member.

3.3 Membership Qualification. Each IWC member shall be an Alameda County resident. An IWC member shall not be an elected official at any level of government; or be a public employee of any agency that oversees or benefits from the proceeds of Measure B and Measure BB transportation sales taxes; or have any economic interest in any project or program.

3.4 Membership Term. Appointments for at-large members shall be for two-year terms. There is no maximum number of terms a member may serve. Members may serve until the Commission appoints their successor.

3.5 Attendance. Members will regularly attend meetings. Accordingly, more than three consecutive absences is cause for removal from the Committee.

3.6 Termination. A member's term shall terminate on the occurrence of any of the following:

3.6.1 The member voluntarily resigns by written notice to the chair or Alameda CTC staff.

3.6.2 The member fails to continue to meet the qualifications for membership, including attendance requirements.

3.6.3 The member becomes incapable of continuing to serve.

3.6.4 The appointing party or the Commission removes the member from the Committee.

3.7 Vacancies. An appointing party shall have the right to appoint (subject to approval by the Commission) a person to fill the vacant member position. Alameda CTC shall be responsible for notifying an appointing party of such vacancy and for urging expeditious appointment of a new member, as appropriate.

Article 4: Officers

4.1 Officers. The IWC shall annually elect a chair and vice chair. Each officer must be a duly appointed member of the IWC.

4.1.1 Duties. The chair shall preside at all meetings and will represent the IWC before the Commission to report on IWC activities. The chair ~~may~~^{shall, but is not obligated to,}

serve as a voting ex-officio member of all subcommittees except a nominating subcommittee (when the IWC discusses the chair position). The vice chair shall assume all duties of the chair in the absence of, or on the request of the chair.

4.2 Office Elections. Officers shall be elected by the members annually at the Organizational Meeting or as necessary to fill a vacancy. An individual receiving a majority of votes by a quorum shall be deemed to have been elected and will assume office at that meeting following the election. In the event of multiple nominations, the vote shall be by ballot. Officers shall be eligible for re-election indefinitely.

Article 5: Meetings

5.1 Open and Public Meetings. All IWC meetings shall be open and public and governed by the Brown Act. Public comment shall be allowed at all IWC meetings. The time allotted for comments by a member of the public in the general public comment period or on any agenda item shall be up to 3 minutes per speaker at the discretion of the chair. Written comments may be submitted prior to the meeting. The number of IWC meetings, including regular meetings, sub-committee meetings, special meetings and public hearings, will be limited to the number of meetings approved in Alameda CTC's annual overall work program and budget, as approved by the Commission.

5.2 Regular Meetings. The IWC shall have a regular meeting at least once per quarter. Prior to each Organizational Meeting, the outgoing chair shall cause all members to be canvassed as to their available meeting times and shall recommend the day and time that best accommodates the schedules of all members, giving due regard to accommodating the schedule of any continuing member who has missed meetings due to a conflict in the prior year. Annually, at the Organizational Meeting, IWC shall establish the schedule of regular meetings for the ensuing year. Meeting dates and times may be changed and additional regular meetings scheduled during the year by action of the IWC.

5.3 Quorum. ~~A majority of the appointed members of the Committee constitutes a quorum for the transaction of business of the Committee, except that less than a quorum may adjourn from time to time. The Committee may discuss, and distribute information on, any item on the Committee's agenda even if a quorum is not present, but may not take any action until or unless a quorum is present. For purposes of decision making, a quorum shall consist of at least half (50 percent) plus one of the total number of members appointed at the time a decision is made. Members will not take actions at meetings with less than 50 percent plus one members present. Items may be discussed and information may be distributed on any item even if a quorum is not present; however, no action can be taken, until the Committee achieves a quorum.~~

5.4 Special Meetings. Special meetings may be called by the chair or by a majority of the members requesting the same in writing given to the chair, with copies to the vice chair and the Executive Director, specifying the matters to be considered at the special meeting. The chair or vice chair shall cause notice of a special meeting stating the matters to be considered to be given to all IWC members and posted and published in accordance with the Brown Act.

5.5 Public Hearing. At least annually, prior to publication of IWC's annual report, IWC shall conduct a public hearing on a draft of the IWC annual report. Each public hearing shall be conducted as part of a regular meeting.

5.6 Agenda. All meetings shall have a published agenda. Items for a regular meeting agenda may be submitted by any member to the chair and Alameda CTC staff. The Commission and/or Alameda CTC staff may also submit items for the agenda. Agenda planning meetings are held approximately three weeks prior to each IWC meeting. Alameda CTC staff will notify all IWC members when this meeting is established and remind members to submit any agenda item requests to the chair at least one day prior to the agenda planning meeting date. At the agenda planning meeting, the chair and Alameda CTC staff will discuss any agenda items submitted to the chair. Every agenda shall include a provision for members of the public to address the Committee. The chair and the vice chair shall review the agenda in advance of distribution. Copies of the agenda, with supporting material and the past meeting minutes, shall be mailed to members and any other interested parties who request it. The agenda shall be posted on the Alameda CTC website and in the Alameda CTC office and provided at the meeting, all in accordance with the Brown Act.

5.7 Roberts Rules of Order. The rules contained in the latest edition of "Roberts Rules of Order Newly Revised" shall govern the proceedings of the IWC and any subcommittees thereof to the extent that the person presiding over the proceeding determines that such formality is required to maintain order and make process, and to the extent that these actions are consistent with these bylaws.

5.8 Place of Meetings. IWC meetings shall be held at the Alameda CTC offices, unless otherwise designated by the Committee or the Commission. Meeting locations shall be within Alameda County, accessible in compliance with the Americans with Disabilities Act of 1990 (41 U.S.C., Section 12132) or regulations promulgated thereunder, shall be accessible by public transportation, and shall not be in any facility that prohibits the admittance of any person, or persons, on the base of race, religious creed, color, national origin, ancestry, or sex, or where members of the public may not be present without making a payment or purchase.

5.9 Meeting Conduct. IWC members shall conduct themselves during meetings in a manner that encourages respectful behavior and provides a welcoming and safe environment for each member and staff member characterized by an atmosphere of mutual trust and respect. Members shall work with each other and staff to respectfully, fairly, and courteously deal with conflicts if they arise.

Article 6: Subcommittees

6.1 Establishment. The IWC may establish subcommittees when advisable and as necessary subject to the approved Alameda CTC overall work program and budget as approved by the Commission to conduct an investigation or to draft a report or other document within the authority of the IWC or for other purposes within the IWC's authority.

6.2 Membership. IWC members will be appointed to subcommittees by the IWC or by the chair. No subcommittee shall have fewer than three members, nor will a subcommittee have sufficient members to constitute a quorum of the IWC.

Article 7: Records and Notices

7.1 Minutes. Minutes of all meetings, including actions and the time and place of holding each meeting, shall be kept on file at the Alameda CTC office. Alameda CTC staff will prepare and include full minutes in meeting packets prior to each regular IWC meeting.

7.2 Attendance Roster. A member roster and a record of member attendance shall be kept on file at the Alameda CTC office.

7.3 Brown Act. All meetings of the IWC will comply with the requirements of the Brown Act. Notice of meetings and agendas will be given to all members and any member of the public requesting such notice in writing and shall be posted at the Alameda CTC office at least 72 hours prior to each meeting. Members of the public may address the IWC on any matter not on the agenda and on each matter listed on the agenda, in compliance with the Brown Act and time limits, up to three minutes per speaker, set at the discretion of the chair.

7.4 Meeting Notices. Meeting notices shall be in writing and shall be issued via U.S. Postal Service, Alameda CTC website, personal delivery, and/or email. Any other notice required or permitted to be given under these bylaws may be given by any of these means.

Article 8: General Matters

8.1 Per Diems. Committee members shall be entitled to a per diem stipend for meetings attended in amounts and in accordance with policies established by the Alameda CTC.

8.2 Conflicts of Interest. A conflict of interest exists when any Committee member has, or represents, a financial interest in the matter before the Committee. Such direct interest must be significant or personal. In the event of a conflict of interest, the Committee member shall declare the conflict, recuse ~~themselves~~~~himself or herself~~ from the discussion, and shall not vote on that item. Failure to comply with these provisions shall be grounds for removal from the Committee.

8.3 Amendments to Bylaws. These bylaws will be reviewed annually, and may be amended, repealed, or altered, in whole or in part, by a vote taken at a duly constituted Committee meeting at which a quorum is present, as a recommendation to the Commission for approval.

8.4 Public Statements. No member of the Committee may make public statements on behalf of the Committee without authorization by affirmative vote of the Committee, except the chair, or in ~~their~~~~his or her~~ place the vice chair, when making a regular report of the Committee activities and concerns to the Alameda CTC. This does not include presentations about the Committee to city councils, which all Committee members have a responsibility to make.

8.5 Conflict with Governing Documents. In the event of any conflict between these bylaws and the July 2000 Transportation Expenditure Plan, the January 2014 Transportation Expenditure Plan, California state law, or any action lawfully taken by ACTIA or the Alameda CTC, the Transportation Expenditure Plans, state law or the lawful action of ACTIA or the Alameda CTC shall prevail.

8.6 Staffing. Alameda CTC will provide staffing to the Committee including preparation and distribution of meeting agendas, packets, and minutes; tracking of attendance; and stipend administration.

8.7 Economic Interest. Each Committee member shall, no later than March 15 of every year or such date as requested by Alameda CTC, prepare and file with Alameda CTC a statement of economic interest in the form required by law, currently Form 700 which can be found on the California Fair Political Practices Commission website, <http://www.fppc.ca.gov/index.php?id=500>.

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Memorandum

4.4

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE:	March 7, 2022
TO:	Planning, Policy and Legislative Committee
FROM:	Maisha Everhart, Director of Government Affairs and Communications Carolyn Clevenger, Deputy Executive Director of Planning and Policy
SUBJECT:	Approve an update to the Paratransit Advisory and Planning Committee Bylaws

Recommendation

Staff is recommending approval of an update to the Paratransit Advisory and Planning Committee (PAPCO) bylaws, attached in redline. Upon Commission approval the updated bylaws will be in effect starting with PAPCO's organizational meeting on June 27, 2022.

Summary

PAPCO reviewed the bylaws during their January 24, 2022 meeting and have proposed edits. Staff has modified the currently adopted PAPCO bylaws in the attached redline version to incorporate the edits proposed by PAPCO.

Per Section 5.1 of Alameda CTC's Administrative Code, the Commission is responsible for adopting and amending the bylaws for PAPCO, as deemed necessary. Staff does not foresee any issues with the edits proposed by PAPCO, which are administrative in nature. Staff recommends approval by the Commission of the updates to the PAPCO bylaws as outlined in Attachment A.

Background

Alameda CTC's PAPCO reviews its bylaws on a periodic basis. PAPCO's bylaws were last modified by the Commission in 2015 to align with Alameda CTC's four advisory committees, which includes the Alameda County Technical Advisory Committee (ACTAC), the Bicycle and Pedestrian Advisory Committee (BPAC), the Independent Watchdog Committee (IWC) and PAPCO. In 2015, the bylaws were modified to incorporate information regarding the 2014 Transportation Expenditure Plan and to maintain structure and standardization among the various advisory committees. The bylaws formalize the roles, structure, function, and procedures for advisory committee operations.

PAPCO reviewed the bylaws during their January 24, 2022 meeting and have proposed edits. Staff has modified the currently adopted PAPCO bylaws in the attached redline version to incorporate the edits proposed by PAPCO. Once approved by the Commission, the updated bylaws will be in effect starting with PAPCO's organizational meeting on June 27, 2022 and will apply to all future meetings.

PAPCO's edits to the bylaws are presented in redline in Attachment A. Below is a summary of the bylaw changes.

- **4.3 Elected Representatives:** this subsection is being updated to provide for biennial, rather than annual, elections for PAPCO's elected representative to serve on AC Transit and BART's East Bay Paratransit Service Review Advisory Committee (SRAC) as well as PAPCO's elected representative to serve on Alameda CTC's Independent Watchdog Committee (IWC). Additionally, this subsection is being updated to provide that PAPCO's elected representative to East Bay Paratransit's SRAC must be a consumer of East Bay Paratransit's services.

The changes will go into effect starting with PAPCO's next election at the June 27, 2022 meeting. The existing IWC and East Bay Paratransit's SRAC Representatives' 1-year terms will end as originally scheduled with the election of the new Representatives on June 27, 2022, and the newly elected Representatives would serve for a 2-year term.

Fiscal Impact: There is no net fiscal impact related to the approval of this item.

Attachment:

- A. Paratransit Advisory and Planning Committee Bylaws (redlined)



Paratransit Advisory and Planning Committee Bylaws

Article 1: Definitions

1.1 2000 Transportation Expenditure Plan. The plan for expending Transportation sales tax (Measure B) funds, presented to the voters in 2000, and implemented in 2002.

1.2 2014 Transportation Expenditure Plan. The Plan for expending transportation sales tax (Measure BB) funds, presented to the voters in 2014, and implemented in 2015.

1.3 Alameda County Transportation Commission (Alameda CTC). Alameda CTC is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency ("ACCMA") and the Alameda County Transportation Improvement Authority ("ACTIA"). The 22-member Alameda CTC Commission ("Commission") is comprised of the following representatives:

1.3.1 All five Alameda County Supervisors.

1.3.2 Two City of Oakland representatives.

1.3.3 One representative from each of the other 13 incorporated cities in Alameda County.

1.3.4 A representative from Alameda-Contra Costa Transit District ("AC Transit").

1.3.5 A representative from San Francisco Bay Area Rapid Transit District ("BART").

1.4 Alameda County Transportation Improvement Authority (ACTIA).

The governmental agency previously responsible for the implementation of the Measure B half-cent transportation sales tax in Alameda County, as approved by voters in 2000 and implemented in 2002. Alameda CTC has now assumed responsibility for administration of the sales tax.

1.5 ADA Eligible Person. A person with disabilities who is eligible for Americans with Disabilities Act (ADA) paratransit services within the legal requirements of the ADA. The general definition of an ADA-eligible individual is a person who is unable, due to disability, to utilize regular fixed-route transit services.

1.6 Appointing Party. A person or group designated to appoint committee members.

1.7 Bicycle and Pedestrian Advisory Committee (BPAC). The Alameda CTC Committee that involves interested community members in the Alameda CTC's policy, planning, and implementation efforts related to bicycling and walking.

1.8 Brown Act. California's open meeting law, the Ralph M. Brown Act, California Government Code, Sections 54950 *et seq.*

1.9 Consumer. Any individual who uses any public transportation services available in Alameda County for seniors and people with disabilities. Consumers may or may not be eligible for services mandated under the Americans with Disabilities Act.

1.10 Coordination/Gaps in Service Funds (Tier 1). Discretionary funding available under Measure B on a countywide basis for gaps in the special transportation service network and/or for coordination among systems to reduce differences in service that might occur based on the geographic residence of any individual needing special transportation services for seniors and people with disabilities. Comprising 1.43 percent of overall net Measure B revenues, subject to approval by the Commission.

1.11 Fiscal Year. July 1 through June 30.

1.12 Independent Watchdog Committee (IWC or “Committee”). The Alameda CTC Committee of individuals created by the Commission as required by Measure BB, with the assistance of the League of Women Voters and other citizens groups. This Committee was originally created by the ACTIA Board and called the Citizens Watchdog Committee as required by Measure B, and was continued by the Commission subsequent to the passage of Measure BB as the Independent Watchdog Committee. The Committee is the same committee as the Citizens Watchdog Committee required by Measure B. The Committee reports directly to the public and is charged with reviewing all Measure B expenditures and Measure BB expenditures and performance measures of the agency, as appropriate. IWC members are private citizens who are not elected officials at any level of government, nor individuals in a position to benefit personally in any way from the sales tax.

1.13 Mandated Services. Paratransit services mandated by the Americans with Disabilities Act (ADA), also known as “ADA Paratransit.” These services are provided by regular route transit operators, including AC Transit and BART, acting together as the East Bay Paratransit Consortium, as well as Union City Transit and LAVTA.

1.14 Measure B. The measure approved by the voters authorizing the half-cent sales tax for transportation services now collected and administered by the Alameda CTC and governed by the 2000 Transportation Expenditure Plan. Collections for the sales tax authorized by Measure B will be in effect for 20 years, beginning on April 1, 2002 and extending through March 31, 2022.

1.15 Measure BB. The measure approved by the voters authorizing the sales tax for transportation services collected and administered by the Alameda CTC and governed by the 2014 Transportation Expenditure Plan. Measure BB augments the half-cent Measure B sales tax by a half-cent, beginning April 1, 2015 through March 31, 2022. The full one-cent sales tax authorized by Measure BB will begin April 1, 2022 and will extend through March 31, 2045.

1.16 Organizational Meeting. The annual regular meeting of the PAPCO in preparation for the next fiscal year's activities.

1.17 Measure B Program. The transportation or transportation-related program specified in the 2000 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

1.18 Measure B Project. Transportation and transportation-related construction projects specified in the 2000 Transportation Expenditure Plan for funding in the amounts allocated in the 2000 Transportation Expenditure Plan.

1.19 Measure BB Program. Transportation or transportation-related program specified in the 2014 Transportation Expenditure Plan for funding transportation programs and projects on a percentage-of-revenues or grant allocation basis.

1.20 Measure BB Project. Transportation and transportation-related capital projects specified in the 2014 Transportation Expenditure Plan for funding in the amounts allocated in the 2014 Transportation Expenditure Plan.

1.21 Non-mandated Services. Special transportation services, including paratransit that are not subject to the requirements of the Americans with Disabilities Act. In Alameda County, Measure B and Measure BB funds are provided to the cities and the County of Alameda for non-mandated services. Examples of non-mandated services include, but are not limited to, shuttle service, taxi programs and special group trips.

1.22 Paratransit Advisory and Planning Committee (PAPCO or "Committee"). The Alameda CTC Committee that meets to address funding, planning, and coordination issues regarding paratransit services in Alameda County. Members must be an Alameda County resident and an eligible user of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a

Technical Advisory Committee composed of Measure B and Measure BB-funded paratransit providers in Alameda County.

1.23 Planning Area. Geographic groupings of cities and of Alameda County for planning and funding purposes. North County: Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont; Central County: Hayward, San Leandro, unincorporated county (near Hayward); South County: Fremont, Newark, Union City; East County: Dublin, Livermore, Pleasanton, the unincorporated area of Sunol.

1.24 Programmatic Funding. Measure B and Measure BB revenues distributed on a monthly basis based on a distribution formula, also referred to as “Direct Local Distribution” funds. Approximately 5.63 percent and 6 percent of net Measure B and Measure BB revenues, respectively, are distributed to AC Transit and BART for ADA-mandated paratransit service. Approximately 3.39 percent and 3 percent of net Measure B and Measure BB revenues, respectively, are distributed within the four planning areas for ADA-mandated and city-based, non-mandated specialized transportation services based on a formula developed by PAPCO and approved by the Commission.

1.25 Residents with Disabilities. Alameda County residents who have physical or mental impairments that substantially limit one or more of the major life functions—caring for oneself, performing manual tasks, walking, seeing, hearing, breathing, learning, working—of an individual. Residents with disabilities are eligible for ADA-mandated paratransit services if their disabilities prohibit them from using regular fixed route transit.

1.26 Special Transportation. Transportation services for seniors and people with disabilities, aimed at improving the mobility of seniors and people with disabilities by supplementing conventional fixed-route transit service. Examples of special transportation services may include, but are not limited to, paratransit, local shuttles, and subsidized taxi programs.

1.27 Paratransit Technical Advisory Committee (ParaTAC). A committee of Measure B and Measure BB service providers of mandated and non-mandated services. The Paratransit Technical Advisory

Committee will meet in joint session with PAPCO at least three times per year, and may meet independently at other times to discuss issues of relevance to service providers.

1.28 Tier 2 Funds. Additional funds that may be available for capital expenditures over the life of the 2000 TEP sales tax measure. These funds are not guaranteed; however, should they become available, up to \$7.5 million dollars would be allocated to coordination of service gaps and special transportation for seniors and persons with disabilities. These funds would be recommended for allocation by PAPCO to reduce differences in service that might occur based on the geographic residence of any individual needing specialized transportation services for seniors and people with disabilities, subject to approval by the Commission.

1.29 Vehicle Registration Fee (VRF). A \$10 fee imposed on each annual motor vehicle registration or vehicle registration renewal in Alameda County. Measure F approved by Alameda County voters in 2010, is collected and administered by the Alameda CTC.

Article 2: Purpose and Responsibilities

2.1 Committee Purpose. The Committee purpose is to fulfill the functions mandated for the Committee in the 2000 and 2014 Expenditure Plans and to advise the Alameda CTC on matters related to special transportation.

2.2 Committee Roles and Responsibilities from 2000 and 2014 Transportation Expenditure Plans. As defined by the 2000 and 2014 Transportation Expenditure Plans, the roles and responsibilities of the Committee are to:

2.2.1 Develop the formula use to distribute Measure B and Measure BB programmatic funds to the cities in Alameda County and the County of Alameda for mandated and non-mandated special transportation services, subject to approval by the Commission.

2.2.2 Recommend allocation of funds identified for coordination/gaps in service in Tier 1 of the 2000 Transportation Expenditure Plan, subject to approval by the Commission.

2.2.3 Recommend allocation of funds identified for capital expenditures for coordination/gaps in service in Tier 2 of the 2000 Transportation Expenditure Plan, assuming funds are available for allocation, subject to approval by the Commission.

2.3 Additional Responsibilities. Additional PAPCO member responsibilities are to:

2.3.1 Review performance data of mandated and non-mandated services, including cost-effectiveness and adequacy of service levels, with the objective of creating a more cost-efficient, productive and effective service network through better communication and collaboration of service providers. In this capacity, the Committee may identify and recommend to the Alameda CTC alternative approaches that will improve special transportation service in Alameda County.

2.3.2 Report annually on the status of special transportation services, including service availability, quality, and improvements made as compared to the previous year.

2.3.3 Provide a forum for consumers to discuss common interests and goals affecting all special transportation services funded in whole or in part by Measure B and Measure BB funds in Alameda County.

2.3.4 Encourage coordination of special transportation and public transit services as they relate to seniors and individuals with disabilities in Alameda County.

2.3.5 Participate in surveys and planning activities undertaken by various public agencies as they relate to seniors and individuals with disabilities in Alameda County.

2.3.6 Fulfill all responsibilities as the County Paratransit Coordinating Council (PCC), as assigned by the Metropolitan Transportation Commission, the County, the state or the federal government.

2.3.7 Perform outreach regarding Alameda CTC activities related to transportation for seniors and people with disabilities at least once each fiscal year. Examples of outreach may include attending a transit or senior fair, accompanying staff to Alameda CTC outreach presentations, or publishing an article in a local publication.

Article 3: Members

3.1 Number of Members. The PAPCO will consist of 23 members.

3.2 Appointment. The Commission will make appointments in the following manner:

3.2.1 One member per County Supervisor (five total).

3.2.2 One member per City (14 total).

3.2.3 One member per Transit Agency–AC Transit, BART, LAVTA, and Union City.

3.3 Membership Qualification. Each member must be an Alameda County resident and a special transportation consumer.

3.4 Membership Term. Appointments shall be for two-year terms. There is no maximum number of terms a member may serve. Members shall serve until the Commission appoints their successor.

3.5 Attendance. Members are expected to actively support committee activities and regularly attend meetings. Accordingly, more than three consecutive absences in any fiscal-year period may be cause for removal from the Committee.

3.6 Termination. A member's term shall terminate on the occurrence of any of the following:

3.6.1 The member voluntarily resigns by written notice to the chair or Alameda CTC staff.

3.6.2 The member fails to continue to meet the qualifications for membership, including residency and attendance requirements.

3.6.3 The member becomes incapable of continuing to serve.

3.6.4 The appointing party or the Commission removes the member from the Committee.

3.7 Vacancies. An appointing party shall have the right to appoint a person to fill the vacant member position, subject to the ability of the person to meet the requirements to serve on the committee and approval of the Commission. Alameda CTC shall be responsible for notifying an appointing party of such vacancy and for urging expeditious appointment of a new member, as appropriate.

Article 4: Officers

4.1 Officers. The PAPCO shall annually elect a chair and vice chair. Each officer must be a duly appointed member of the PAPCO.

4.1.1 Duties. The chair shall preside at all PAPCO meetings except when the PAPCO discusses the chair position and/or nomination. The chair will represent the PAPCO before the Commission to report on PAPCO activities. The chair shall serve as an ex-officio member of all subcommittees. The vice chair shall assume all duties of the chair in the absence of, or on the request of the chair. In the absence of the chair and vice chair at a meeting, the members shall, by consensus, appoint one member to preside over that meeting. In addition, if MTC convenes Paratransit Coordinating Council (PCC) meetings, the PAPCO chair or his/her designee will attend and report back to PAPCO on these meetings.

4.2 Office Elections. Officers shall be elected by the members annually at the Organizational Meeting or as necessary to fill a vacancy. An individual receiving a majority of votes by a quorum shall be deemed to have been elected and will assume office at the meeting following the election. Officers shall be eligible for re-election indefinitely.

4.3 Elected Representatives. PAPCO shall ~~biennially annually~~ elect a representative to serve on AC Transit and BART's East Bay Paratransit Service Review Advisory Committee (SRAC). This representative will attend SRAC meetings, report on PAPCO activities to the SRAC, and report to the full membership of PAPCO on SRAC activities. This representative must be a consumer of East Bay Paratransit's services. PAPCO shall ~~biennially annually~~ elect a representative to serve on Alameda CTC's Independent Watchdog Committee (IWC). This representative will attend IWC meetings, report on PAPCO activities to the IWC, and report to the full membership of PAPCO on IWC activities.

Article 5: Meetings

5.1 Open and Public Meetings. All PAPCO meetings shall be open and public and governed by the Brown Act. Public comment shall be allowed at all PAPCO meetings. Comments by a member of the public in the general public comment period or on any agenda item shall be up to 3 minutes per speaker at the discretion of the chair. The number of PAPCO meetings, including regular meetings, sub-committee meetings, and special meetings, will be limited to the number of meetings approved in Alameda CTC's annual overall work program and budget, as approved by the Commission.

5.2 Regular Meetings. The PAPCO will hold up to 10 meetings per year. Annually, at the Organizational Meeting, PAPCO shall establish the schedule of regular meetings for the ensuing year. Meeting dates and times may be changed during the year by action of PAPCO. On a quarterly basis, PAPCO is expected to meet jointly with the Paratransit Technical Advisory Committee (ParaTAC) of paratransit providers. ParaTAC members will not have voting privileges at these joint meetings,

but may engage in all discussions and may present their point of view prior to any decision-making at those meetings.

5.3 Quorum. For purposes of decision making, a quorum shall consist of at least half (50 percent) plus one of the total number of members appointed at the time a decision is made. No actions will be taken at meetings with less than 50 percent plus one member present. Items may be discussed and information may be distributed on any item even if a quorum is not present; however, no action can be taken, until the Committee achieves a quorum.

5.4 Special Meetings. Special meetings may be called by the chair or by a majority of the members on an as-needed basis. Attendance at special meetings is not counted as part of members' attendance requirement. Agenda item(s) for special meeting(s) shall be stated when the meeting is called, but shall not be of a general business nature. Specialized meetings shall be concerned with studies, emergencies, or items of a time-urgent nature. Agenda item(s) of a regular meeting may be tabled for further discussion and action at a special meeting, the time and location to be announced in the tabling motion. Notice of such meetings shall be given to all members at least 72 hours prior to such meetings and shall be published on the Alameda CTC's website and at the Alameda CTC office, all in accordance with the Brown Act.

5.5 Agenda. All meetings shall have a published agenda. Action may be taken only on items indicated on the agenda as action items. Items for a regular meeting agenda may be submitted for consideration by any member to the chair and Alameda CTC staff. The Commission and/or Alameda CTC staff may also submit items for the agenda. Every agenda shall include provision for members of the public to address the Committee. The chair and the vice chair shall review the agenda in advance of distribution. Copies of the agenda, with supporting material and the past meeting minutes, shall be mailed to members and any other interested parties upon request. The agenda shall be posted on the Alameda CTC website and office and provided at the meeting, all in accordance with the Brown Act.

5.6 Roberts Rules of Order. The rules contained in the latest edition of “Roberts Rules of Order Newly Revised” shall govern the proceedings of the PAPCO and any subcommittees thereof to the extent that the person presiding over the proceeding determines that such formality is required to maintain order and make process, and to the extent that these actions are consistent with these bylaws.

5.7 Place of Meetings. PAPCO meetings shall be held at the Alameda CTC offices, unless otherwise designated by the Committee. Meeting locations shall be within Alameda County, accessible in compliance with the Americans with Disabilities Act of 1990 (41 U.S.C., Section 12132) or regulations promulgated there under, shall be accessible by public transportation, and shall not be in any facility that prohibits the admittance of any person, or persons, on the base of race, religious creed, color, national origin, ancestry, or sex, or where members of the public may not be present without making a payment or purchase.

5.8 Meeting Conduct. PAPCO members shall conduct themselves during meetings in a manner that provides a welcoming and safe environment for all attendees characterized by an atmosphere of mutual trust and respect. Members shall work with each other and staff to respectfully, fairly, and courteously deal with any conflict between attendees.

Article 6: Subcommittees

6.1 Establishment. The PAPCO may establish subcommittees subject to the approved Alameda CTC overall work program and budget as approved by the Commission to conduct an investigation or draft a report or other document or recommendation within the authority of PAPCO.

6.2 Membership. PAPCO members will be appointed to subcommittees by PAPCO, on a voluntary basis, or by the chair. No subcommittee shall have fewer than three members, nor will a subcommittee have greater than the number of members needed to constitute a quorum of PAPCO.

Article 7: Records and Notices

7.1 Minutes. Minutes of all meetings, including actions and the time and place of holding each meeting, shall be kept on file at the Alameda CTC office.

7.2 Attendance Roster. A member roster and a record of member attendance shall be kept on file at the Alameda CTC office.

7.3 Brown Act. All PAPCO meetings will comply with the requirements of the Brown Act. Notice of meetings and agendas will be given to all members and any member of the public requesting such notice in writing and shall be posted at the Alameda CTC office at least 72 hours prior to each meeting. Members of the public may address PAPCO on any matter not on the agenda and on each matter listed on the agenda, in compliance with the Brown Act and time limits, up to three minutes per speaker, set at the discretion of the chair.

7.4 Meeting Notices. On March 28, 2013, the Alameda CTC Commission approved the implementation of paperless meeting packet distribution. Hard copies are available by request only. Agendas and all accompanying staff reports are available electronically on the Alameda CTC website at www.AlamedaCTC.org/events/month/now. Any other notice required or permitted to be given under these bylaws will follow the same policy. PAPCO members receive an exception to the paperless policy and will continue to receive notices via U.S. Postal Service in addition to electronic versions. Members can request to opt-out of paper notices.

Article 8: General Matters

8.1 Per Diems. Committee members shall be entitled to a per diem stipend for meetings attended in amounts and in accordance with policies established by the Alameda CTC.

8.2 Conflicts of Interest. A conflict of interest exists when any Committee member has, or represents, a financial interest in the matter before the Committee. Such direct interest must be significant or personal. In the event of a conflict of interest, the Committee member shall declare the conflict, recuse him or herself from the discussion, and shall not vote on that item. Failure to comply with these provisions shall be grounds for removal from the Committee.

8.3 Bylaws. Bylaws governing the meetings and activities of PAPCO are approved by the Alameda CTC.

8.4 Public Statements. No member of the Committee may make public statements on behalf of the Committee without authorization by affirmative vote of the Committee, except the chair, or in his or her place the vice chair, when making a regular report of the Committee activities and concerns to the Alameda CTC.

8.5 Conflict with Governing Documents. In the event these bylaws conflict with the 2000 Transportation Expenditure Plan, the 2014 Transportation Expenditure Plan, California state law, or any action lawfully taken by ACTIA or the Alameda CTC, the conflicting provision in the Transportation Expenditure Plans, state law, or the lawful action of ACTIA or the Alameda CTC shall prevail.

8.6 Staffing. Alameda CTC will provide staffing to the Committee including preparation and distribution of meeting agendas, packets, and minutes; preparation of reports to the Alameda CTC Committees and Commission; tracking of attendance; and per diem administration.



Memorandum

5.1

1111 Broadway, Suite 800, Oakland, CA 94607

• 510.208.7400

• www.AlamedaCTC.org

DATE: March 7, 2021

TO: Planning, Policy and Legislation Committee

FROM: Cathleen Sullivan, Director of Planning
Chris G. Marks, Associate Transportation Planner
Shannon McCarthy, Associate Transportation Planner

SUBJECT: 2021 Multimodal Performance Report

Recommendation

This item is to provide the Commission with an update on the Congestion Management Program 2021 Multimodal Performance Report. This item is for information only.

Summary

Each year, the Alameda County Transportation Commission (Alameda CTC) prepares a summary of the state of the transportation system within Alameda County, tracking a series of key performance metrics for the countywide multimodal transportation system. The purpose of this report is to elucidate emerging trends which shape policy and decision-making throughout the agency.

Through much of the last decade the annual performance report reflected gradual, multi-year shifts, across a variety of important indicators. However, the arrival of the COVID-19 pandemic quickly and radically changed transportation in Alameda County such that many of the standard instruments of measurement used for the performance report would fail to capture the current state of the system. Additionally, key data from the United States Census Bureau's American Community Survey will not be released due to insufficient sampling. Alameda CTC uses these data to better understand detailed demographic information including age and income as well as commute times and mode splits.

The 2021 report, included as Attachment A, was therefore developed using a new methodology in order to shed light on the transportation system with a more real-time analysis of available metrics focused on changes over the past year as the nature of the pandemic and its impacts have changed.

Key findings from this report include:

- Alameda County's population declined for the first time in 2021, losing about 10,000 residents and falling to 1.67 million. Natural growth slowed, foreign immigration was at its lowest since at least the 1990s, and domestic migration out of Alameda County nearly doubled.
- Alameda County is home to about 21 percent of the region's population and a similar share of the housing supply. New housing development has outpaced other counties in the region between 2016 and 2020, as Alameda County has approved about 28 percent of total new units in the region, about 35,000 of 128,000 total units. However, just over ten percent of these units are affordable, well below the Regional Housing Needs Assessment goal of 37.5 percent. In 2019, almost half of Alameda County renters were rent-burdened.
- The county added about 40,000 jobs in the last year, and unemployment fell to five percent. A full recovery is not complete as unemployment is still above the pre-pandemic low of less than three percent.
- Transit ridership is down between 50 and 80 percent for all operators in Alameda County, compared to 2019. At the onset of the pandemic transit ridership plummeted, but in the last year, it has started to bounce back. Between October 2020 and October 2021 BART, LAVTA, Capital Corridor and ACE ridership each at least doubled, while SF Bay Ferry quadrupled. AC Transit ridership also increased about 26 percent; AC Transit is currently carrying the highest percentage of pre-pandemic ridership of any operator in the region. Weekend and off-peak ridership are recovering faster for some operators.
- Prior to the pandemic, 90 percent of Bay Area workplaces had employees commute to physical offices at least four days per week. That changed significantly during the pandemic, and in April 2021 almost three quarters of workers did not travel to their workplace at all. However, over 2021, workers started to return to the office. By December 2021, only 28 percent did not travel to work at all, and just over half commute at least three days a week. Most employers expect a hybrid work pattern, with approximately three days in the office. BART ridership increases have tracked closely with workers returning to the office.
- Total collisions for all modes (auto, bike, pedestrian, etc.) fell about 26 percent in 2020 and most severe collisions fell 22 percent. However, fatal collisions increased sharply in Alameda County and statewide. Speeding remains the most common factor in all collisions. Collision data for 2021 in Alameda County is not yet available.
- Pedestrian collisions increased by eight percent in 2020, compared to 2019, while fatal and severe collisions remained flat. Bike collisions fell 18 percent and fatal and severe collisions fell 34 percent—to the lowest level since 2006. The share of total collisions involving bicycles and pedestrians increased from 16 percent in 2019 to 21 percent in 2020—the highest level in almost a decade.

- Bikeshare trips dropped 64 percent in Alameda County between 2019 and 2021, although there was an increase in trips in late 2021. Vandalism has been a persistent issue through the pandemic. Scootershare trips in Oakland also fell 76 percent and have continued to fall through 2020 and 2021.

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

Attachment:

- A. [2021 Multimodal Performance Report: Transportation and COVID-19 in Alameda County](#)

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Memorandum

5.2

1111 Broadway, Suite 800, Oakland, CA 94607

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• www.AlamedaCTC.org

DATE: March 7, 2022

TO: Planning, Policy and Legislation Committee

FROM: Cathleen Sullivan, Director of Planning
Colin Dentel-Post, Principal Transportation Planner

SUBJECT: Approve the San Pablo Avenue Multimodal Corridor Project Concept for Further Project Development

Recommendation

This is an action item for the San Pablo Avenue Multimodal Corridor Project (San Pablo Project) to approve the near-term project that staff will move into subsequent project development phases and for which staff will seek construction funding.

- In Oakland, Emeryville and South Berkeley (to Heinz/Russell/San Pablo intersection), staff recommends a project concept which includes a dedicated side-running bus lane, a protected bike lane and pedestrian safety enhancements. Given the limited width of San Pablo Avenue, the recommended near-term project concept requires that the current outside travel lane is converted to a bus lane, the current parking/loading spaces along the curb are converted to a protected bike lane, and some locations (e.g. driveways, limited location loading zones, and right turn locations) have breaks in the bike protection and/or mixing zones between modes. During the design process, the team will seek to maximize safety for bicyclists and maximize safety and performance for buses within the near-term project design constraints of this corridor.
- In Berkeley (north of Heinz/Russell/San Pablo intersection) and Albany, staff recommends bus bulbs at Rapid bus stops and targeted pedestrian safety enhancements on San Pablo Avenue, as well as targeted improvements to parallel bike routes and crossings of San Pablo Avenue.

Summary

The San Pablo Project has completed a long-term visioning phase and has now embarked on a near-term implementation phase. Alameda CTC has identified a cost-effective project that can make substantive progress towards the project and agency goals in a 3-5-year time horizon (pending full funding acquisition). The recommended bus lane will offer significant

bus speed and reliability benefits on this high ridership route, while the pedestrian crossing improvements and bike lane will provide significant improvements to safety and comfort on this high-injury corridor. Alameda CTC is committed to delivering this critical project to make concrete progress towards addressing safety, transit efficiency, and placemaking as quickly as possible. Staff has been working closely with agency partners and stakeholders since late 2020 to advance the project.

The Commission approved the funding and contracts to complete all phases of the near-term project through final design in September 2020 and approved an amendment to the contract in January 2022. This spring, Alameda CTC is seeking approval of the project concept from the Alameda CTC Commission, Oakland City Council, Emeryville City Council, Berkeley City Council and/or Committee, and input from the AC Transit Board. Upon receipt of these approvals, Alameda CTC will advance the near-term project into preliminary engineering and submit applications to secure construction funding. Securing consensus on a concept in spring 2022 is critical to enabling Alameda CTC to submit funding applications this summer. There are numerous anticipated multi-year grant funding cycles in 2022, for which we believe this project could be competitive.

Background

Alameda CTC is leading the San Pablo Project, which is central to achieve the goals and strategies that were adopted in the 2020 Countywide Transportation Plan (CTP). San Pablo Avenue is on the countywide High-injury Network (HIN) and has the third highest incidence of injury collisions in Alameda County. There is an urgent need to improve safety for all users. San Pablo is also one of the streets with the highest bus ridership in the East Bay. However, due to congestion, buses are often slow and unreliable. With ongoing residential and commercial growth in the corridor, reliable, attractive bus service is critical to efficiently move more people.

The goals of the San Pablo Avenue Multimodal Corridor Project are to:

- Enhance safety for all travel modes
- Improve comfort and quality of trips for all users
- Support a strong local economy and efficiently accommodate growth along the corridor while respecting local contexts
- Promote equitable transportation and design solutions for diverse communities throughout corridor

San Pablo Avenue traverses four cities in northern Alameda County: Oakland, Emeryville, Berkeley and Albany. Caltrans owns the right-of-way north of I-580, while the City of Oakland owns the right-of-way south of I-580.

The San Pablo Project was initiated in 2017. Phase 1 of the project, which concluded in summer 2020, considered potential long-term concepts for the corridor in Alameda and Contra Costa Counties – including bus rapid transit and protected bike facilities – through extensive outreach and technical analysis. Due to the complex and constrained nature of

the corridor, with only 73 feet available curb-to-curb in Alameda County, every concept that was considered entailed notable trade-offs, especially at intersections. At the end of Phase 1, there was not consensus around a single long-term vision to advance throughout the corridor. In addition, the full corridor project resulted in very high costs, in the range of \$350-\$700 million depending on the scale of improvements.¹ Phase 1 results are documented on the Project History tab of the project webpage: www.alamedactc.org/sanpablo.

However, Alameda CTC also received strong community and Commission support to advance some type of near-term improvements focused on the critical needs of safety improvements for pedestrians and cyclists on this high injury corridor, transit efficiency, and supporting existing communities and placemaking. Most bus rapid transit projects in the Bay region have taken decades to develop and deliver and stakeholders expressed a strong desire to get something done more quickly.

Alameda CTC worked closely with agency partners to identify a smaller-scale, cost-effective near-term project in the Alameda County section of the corridor. The goal of this project is to make incremental yet substantive progress toward project goals, focusing on safety, transit efficiency, and placemaking. These near-term improvements can inform potential additional improvements in the corridor in the future.

In September 2020, the Commission approved contracts and funding to advance the near-term San Pablo project through design, approvals, and environmental to construction documents. In November 2022, staff presented an update on our multimodal arterial corridor projects to PPLC, including this project. In January 2022, the Commission approved a small scope expansion reflected in the below description. Contra Costa County has also embarked on a second phase of work described at the end of this memo.

Near-Term Project

The near-term project includes safety enhancements in all four cities; in Oakland, Emeryville and South Berkeley it includes a bus and bike lane project on San Pablo Avenue; and in Berkeley and Albany it includes bus bulbs at Rapid stops on San Pablo and improvements to parallel bike routes.

Safety: In Phase 1, there was widespread community, political and technical support for safety upgrades to the San Pablo Avenue corridor. Therefore, in all four Alameda County cities, the near-term project includes targeted safety enhancements to improve pedestrian, bicyclist, and transit rider safety, focused particularly on improving crossing conditions for those on foot or on bike. Safety enhancements include the following types of improvements:

- High visibility crosswalks and striping
- Improved pedestrian crossing signals
- ADA compliant curb ramps and sidewalks

¹ More information on Phase 1 can be found on the *Project History* tab of the project webpage: www.alamedactc.org/sanpablo

- Wayfinding signage
- Improved bicycle crossings of San Pablo Avenue at intersections with bike routes
- Targeted lighting improvements at crosswalks and bus stops

Bus and Bike Lanes: In Oakland, Emeryville and South Berkeley, the near-term project includes side-running bus lanes and consideration of protected bike lanes. This reflects the area of the corridor where support was highest in Phase 1 for a substantial change to the street – Oakland and Emeryville – as well as a small segment of Berkeley recently added at the request of elected officials.² The outside travel lane in each direction will be converted to a bus-only lane. The existing parking and loading spaces on each side of the street will be converted to a protected bike lane, and parking and loading will be relocated to side streets and/or off-street lots. Given the importance of loading to many of the businesses and other street-front uses in the corridor, staff has undertaken robust engagement with storefronts along the corridor to explore the viability of alternative loading solutions. In addition, staff is working with East Bay Paratransit and relevant advisory committees to discuss issues related to curbside pick-up and drop-off access for seniors and people with disabilities.

Due to the constrained roadway width, need for near-term delivery, and many competing demands on the limited right-of-way, the design of these dedicated transit and bike facilities may require some design compromises. To allow for near-term project delivery, including a streamlined Caltrans approval and delivery process, the project design must minimize changes to existing curbs and medians. At a limited number of locations (e.g. driveways, limited location loading zones, and right turn locations), there may be breaks in the bike protection and/or mixing zones between autos and buses, autos and bikes, or bikes and buses. Bus stop islands with protected bike lanes behind them at sidewalk level will be provided to eliminate mixing between buses and bikes at bus stops, requiring bus stops in this segment of the corridor to be consolidated into a single set of stops served by both Local and Rapid buses. As the project design advances, detailed Title VI analysis and outreach will be conducted, as required.

Bus Bulbs and Parallel Bike Route Upgrades: North of Ashby Avenue, in Berkeley and Albany, the project includes bus bulbs at Rapid stops on San Pablo Avenue and targeted improvements to parallel bike routes. The bus bulbs will improve bus speed and reliability by allowing buses to stop in the traffic lane and not pull into and out from the curb. These could be a building block for bus lanes in a future phase if deemed appropriate. In order to provide a safe, comfortable continuous bike facility along the corridor throughout Alameda County

² The September 2020 Commission approval included consideration of bus and bike lanes in Oakland and Emeryville. In 2021, Alameda CTC received requests from elected leaders and advocates in Berkeley to expand the current near-term project into Berkeley, at a minimum to the Russell/Heinz bike boulevard crossing in South Berkeley. A substantial redefinition of the scope of the near-term project would impact near-term delivery of the safety and efficiency improvements that Alameda CTC committed to, but the short extension to Russell/Heinz was deemed feasible. In January 2022, the Commission approved contracts and funding for the scope expansion to include bike lanes to the Russell/Heinz bike boulevard crossing and bus lanes to just north of Ashby Avenue at the 72 Rapid bus stop.

in the near-term, the project will make improvements to key bicycle routes parallel to San Pablo and improve key bike route crossings of San Pablo.

Advancement of the currently scoped near-term project does not preclude additional improvements on San Pablo Avenue in Berkeley or Albany in the future. Berkeley has received a grant to conduct a Specific Plan along San Pablo Avenue. This provides Berkeley staff and elected officials the opportunity to more fully consider some of the potential future transportation concepts with the existing communities along San Pablo Avenue in Berkeley and to identify transportation priorities. The alignment of long-range land use planning and transportation improvements in the corridor is critically important, and Alameda CTC can support city staff utilizing the extensive work we have completed to date as the Specific Plan work gets underway.

Stakeholder Engagement

To seek input on the near-term improvements proposed for the San Pablo Avenue corridor in Alameda County, and especially on the impacts to parking/loading in Oakland and Emeryville, Alameda CTC staff has done targeted stakeholder engagement. We have formed a project-specific Active Transportation Working Group, comprised of stakeholders from all four Alameda County cities along the corridor, to discuss pedestrian and bicycle design issues. In Oakland and Emeryville, Alameda CTC has conducted focus groups in partnership with community-based organizations focused on reaching people in Equity Priority Communities³, and conducted one-on-one engagement with merchants and other storefront uses to help the project team ensure that designs under consideration meet critical loading, ADA and access needs. Alameda CTC staff has also shared updates on the project and sought input from agency advisory committees, including accessibility committees and city BPACs.

Alameda CTC will conduct another round of targeted stakeholder engagement in summer 2022 to get input on block-by-block design of the bus and bike lanes in Oakland, Emeryville and South Berkeley, as well as targeted engagement around locations where bus bulbs and parallel bikeway upgrades are proposed. This outreach will include:

- One-on-one storefront engagement (door-to-door, phone, meetings, etc.)
- Community organization presentations and partnerships
- Active Transportation Working Group
- Other targeted outreach around specific design issues/locations

Approval of Project Concept for Oakland, Emeryville, South Berkeley

When the Alameda CTC Commission approved the contract amendment authorizing staff to begin the near-term project implementation phase of the San Pablo Project in September 2020, the item specified that “the infrastructure pilot will *consider* dedicated bus and bike

³ Equity Priority Communities, formerly known as Communities of Concern, are areas that have a significant concentration of underserved populations, such as households with low incomes and people of color.

lanes in Oakland and Emeryville” and explicitly stated that “Commissioners are not being asked to approve any designs or right-of-way allocations at this point; the exact configuration to be implemented by the infrastructure pilot will be determined as part of Phase 2.” Staff is now requesting approval of the project concept in this section of the corridor in order to allow staff to advance the preliminary engineering, Caltrans approvals, and environmental process. Alameda CTC will apply for construction funding for the overall near-term project based upon confirmed support from project partners and elected officials. Alameda CTC will also apply for construction funding for improvements throughout the corridor.

Alameda CTC is also seeking support for the project concept from the relevant agency partners, including the Oakland City Council (tentatively scheduled for May 2022), Emeryville City Council (scheduled for March 15, 2022), Berkeley City Council and/or Committee (date TBD), and the AC Transit Board (scheduled for March 9, 2022). Caltrans will also be a key project partner in approving any final design concepts to advance. Alameda CTC staff is working closely with Caltrans staff to advance required project development processes towards a Caltrans approval in 2023.

Schedule and Next Steps

Upon receipt of support from key partner agencies, described above, Alameda CTC will advance the preliminary engineering and submit applications to acquire construction funding for the project. Securing consensus on a concept in spring 2022 is critical to enabling Alameda CTC to submit funding applications this spring and summer. There are numerous anticipated multi-year funding cycles in 2022, for which we believe this project could be competitive.

For the bus and bike lane project, Alameda CTC is seeking to construct the project within 3-5 years. For the bus bulbs and parallel bike improvements, Alameda CTC is seeking to construct the project within 2-3 years. Both of these schedules are contingent on acquiring full construction funding for the projects. Meeting this ambitious schedule will continue to require strong collaborative relationships with our partner agencies.

Contra Costa County

Due to greater geometric and operational variability, different mode splits and travel needs, and varying support for preferred improvements, no clear set of improvements emerged from Phase 1 in Contra Costa County. The West Contra Costa Transportation Advisory Committee and Contra Costa Transportation Authority are leading Phase 2 work there, which includes additional location-specific design and evaluation needed to advance long-term concepts. Alameda CTC will continue to coordinate with Contra Costa County to ensure both near-term compatibility and a long-term vision for the corridor that considers both counties.

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



Memorandum

5.3

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• 510.208.7400

• www.AlamedaCTC.org

DATE: March 7, 2022

TO: Planning, Policy and Legislation Committee

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

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

Recommendation

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

Background

The Commission approved the 2022 Legislative Program in December of 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. On Feb. 17, 2022 the Senate voted 65-27 to pass the continuing resolution (CR) to extend funding until March 11. Appropriators continue to work on

an omnibus spending package. It is expected Congress will be able to finalize an omnibus bill by March 11.

President Biden delivered his State of the Union Address on March 1, 2022. The President's FY23 budget is expected shortly thereafter.

The Metropolitan Transportation Commission (MTC) is developing a short list of priority projects for regional endorsement by MTC for a subset of competitive federal grant programs. The goal is for the region to create a more focused advocacy platform for a small number of the most competitive projects by minimizing competition within the region. Staff will work with the MTC to ensure that Alameda CTC transportation project priorities are included for consideration for regional endorsement. MTC is also working directly with various transportation agencies and stakeholders throughout the region. Discussions with MTC to date have focused on grade crossing and separation programs and the new National Infrastructure Project Assistance program, for which they are focusing on large multimodal roadway and active transportation projects. MTC is expected to approve a list of projects for regional endorsement in March.

State Update

The 2022 legislative session is the second year of a two-year session. The deadline for new bills to be introduced was February 18, 2022.

Staff is evaluating the bills introduced by the deadline in relation to the Commission's adopted legislative platform, and will continue to do bill analysis, coordinate with our partner agencies and make recommendations to the Commission in the coming months.

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.

Based on discussions at previous Committee and Commission meetings, and per the adopted 2022 Legislative Program, the following bills are recommended for the Commission to take a position. Staff will continue to monitor and bring forward additional bills as the legislative session progresses.

Table 1. Recommended Bill Positions

Bill Number	Bill Information	Analysis	Recommended Position
<u>AB 1944</u> <u>Lee,</u> <u>Garcia</u>	<p>An act to amend Section 54953 of the Government Code, relating to public meetings. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.</p> <p>This bill would require all open and public meetings of a legislative body that elects to use teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option.</p>	AB 1944 will support the Commission's goal of providing equitable access to public meetings and help to reduce greenhouse gas emissions by allowing members of a legislative body to teleconference into meetings from remote locations.	Support
<u>AB 2336</u> <u>Friedman</u>	This bill would authorize, until January 1, 2028, the Cities of Los Angeles, Oakland, San Jose, and the City and County of San Francisco, in addition to two other cities to be identified in the bill to establish the Speed Safety System Pilot Program if the system meets specified requirements. The bill would require the participating cities or city and county to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the city or city and county to engage in a public information campaign at least 30 days before implementation of the program.	AB 2336 will support the Commission's goal of enhancing transportation safety. This legislation will support investments in active transportation, including improved safety, and advance Vision Zero strategies to reduce speeds and protect communities. Specifically, this bill would allow local flexibility to set safer speed limits, which aligns with the Countywide Transportation Plan and the 2022 Legislative Program goals for advancing safety. Per previous discussions at the Commission, staff is recommending amendments to seek to expand the	Support and seek an amendment to allow all interested jurisdictions in Alameda County to participate in the pilot program

	<p>The bill would require the participating cities or city and county to issue warning notices rather than notices of violations. The bill would require the participating cities or city and county to develop uniform guidelines for, among other things, the processing and storage of confidential information. The bill would designate all photographic, video, or other visual or administrative records made by a system as confidential, and would only authorize public agencies to use and allow access to these records for specified purposes.</p>	<p>number of jurisdictions in the pilot. This bill was not able to advance last session due to strong opposition; staff therefore recommends pursuing only one targeted amendment and to express our strong support for the bill.</p>	
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Fiscal Impact: There is no fiscal impact associated with the requested action.

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.