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

**Alameda County Transportation Commission (Commission) Meeting Agenda**
**Thursday, September 22, 2022, 2:00 PM**

Pursuant to AB 361 and the resolution adopted 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 meet via teleconference on a fully remote or hybrid in-person / remote basis, and will not provide a physical location for members of the public to participate in the teleconference meeting. The purpose of holding Commission and Committee meetings as described above is to provide the safest environment for Commissioners and Committee members, Alameda CTC staff, and the public, while allowing for robust public participation pursuant to Government Code Section 54953(e)(2).

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

| | | | |
|---|---|---|---|
| Chair: | John J Bauters | Executive Director: | Tess Lengyel |
| Vice Chair: | Elsa Ortiz | Clerk of the Commission: | Vanessa Lee |

## Location Information:

Zoom Link:
https://us06web.zoom.us/j/87936487304?pwd=eXNIV3RlNDZwMU5WNkpjUE5xcFdmZz09

Dial-in Information: 1 (669) 900 6833
Webinar ID: 879 3648 7304
Password: 502696

## Meeting Agenda

## 1. Call to Order

## 2. Roll Call

## 3. Public Comment

## 4. Chair and Vice Chair Report

## 5. Executive Director Report

5.1 Executive Director's Report - September 2022
5.1_COMM_ED-Report_Sep2022_20220922.pdf

## 6. Consent Calendar

Alameda CTC standing committees approved all action items on the consent calendar, except items 6.1 and 6.2.

6.1 Approve the July 28, 2022 Commission Meeting Minutes
**Approve**
6.1_COMM_Commission_Minutes_20220728.pdf

6.2 Approve the September 12, 2022 Commission Meeting Minutes
**Approve**
6.2_COMM_Commission_Minutes_202200912.pdf

6.3 FY2021-22 Fourth Quarter Report of Claims Acted Upon Under the Government Claims Act Update
**Information**
6.3_COMM_Government_Claims_Act_FY2021-22_4th_Qtr_Report_20220922.pdf

6.4 Approve an Update to the Alameda CTC Investment Policy
**Approve**
6.4_COMM_Investment_Policy_Staff_Report_20220922.pdf

6.5 Approve the Administrative Amendments to Various Agreements to Extend Agreement Expiration Dates
**Approve**
6.5_COMM_Administrative_Amendment_20220922.pdf

6.6 I-580 Express Lanes Operations Update
**Information**
6.6_COMM_I-580_EL_Update_20220922.pdf

6.7 Approve Alameda CTC Resolution No. 22-013 to revise Alameda CTC's Express Lanes Violation Penalties
**Approve**
6.7_COMM_I-580_Violation_Penalties_Revision_20220922.pdf

6.8 Approve and Authorize the Executive Director to Execute Amendment No. 2 to Agreement A22-0002 with Electronic Transaction Consultants, LLC (ETC)
**Approve**
6.8_COMM_ETC_I-680_A22-0002_A2_20220922.pdf

6.9 East Bay Greenway Multimodal (from Lake Merritt BART to South Hayward BART) Project (Project Number 1587000) - Approve Amendment No. 8 to Agreement A15-0030 with HNTB Corporation for Project Approval & Environmental Document Services
**Approve**
6.9_COMM_EBGW_Amendment_20220922.pdf

6.10 Approve Contract Amendment No. 1 to Professional Services Agreement A22-0067 with Mark Thomas & Company, Inc. for On-Call Support Services and Grant Writing Assistance for the I-880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway West) Project
**Approve**
6.10_COMM_A22-0067_A1_Whipple_20220922.pdf

6.11 Congestion Management Program (CMP): Summary of the Alameda CTC's Review and Comments on Environmental Documents and General Plan Amendments
**Information**
6.11_COMM_CMP_20220922.pdf

6.12 Federal, state, regional, and local legislative activities update
**Information**
6.12_COMM_September_Legislative_Update_20220922.pdf

6.13 Countywide Bikeways Network: Design Guidance and Implementation Update
**Information**
6.13_COMM_Countywide_Bike_Network_Guidance_20220922.pdf

6.14 Approve Release of a Request for Proposals (RFP) for the Alameda County Safe Routes to Schools Program
**Approve**
6.14_COMM_SR2S_RFP_20220922.pdf

## 7. Community Advisory Committees

7.1 Bicycle and Pedestrian Advisory Committee
**Information**

7.2 Independent Watchdog Committee
**Information**

7.3 Paratransit Advisory and Planning Committee
**Information**

## 8. Regular Matters

8.1 Approve the Alameda CTC Equity Statement
**Approve**
8.1_COMM_Equity_Statement_20220922.pdf
8.1_COMM_Equity_Initiative_Presentation_20220922.pdf

8.2 Approve an Amendment to the Alameda CTC Administrative Code
**Approve**
8.2_COMM_Admin_Code_Staff_Report_20220922.pdf

8.3 Approve the 2024 Comprehensive Investment Plan - One Bay Area Grant Cycle 3 Project Nomination List
**Approve**
8.3_COMM_2024_CIP_OBAG_Nominations_20220922.pdf
8.3_COMM_CIP_OBAG3_Project_Nominations_Presentations_20220922.pdf

## 9. Closed Session

9.1 Pursuant to Government Code Section 54957: Public Employee Performance Evaluation: Executive Director
**Information**

9.2 Report on Closed Session
**Information**

## 10. Executive Director Performance Evaluation, Goals and New Contract

10.1 Approve a new Executive Director Contract, Conduct a Performance Evaluation for 2022 and Establish Objectives for 2023
**Approve**
10.1_COMM_Exec_Dir_Performance_Evaluation_September2022_20220922.pdf

## 11. Adjournment

**Next Meetings**
October 10, 2022 (Special AB 361)
October 27, 2022
December 1, 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.

5.1

Alameda CTC making it easier for Alameda County's students to travel to and from school.

ALAMEDA County Transportation Commission

ALAMEDA COUNTY TRANSPORTATION COMMISSION

# EXECUTIVE DIRECTOR'S REPORT

SEPTEMBER 2022

## Keeping Our Promises

**Alameda CTC is keeping our promises of delivering projects and programs while supporting jobs and the economy. I am ensuring that the agency continues to perform strategic planning, develop projects and implement programs, move projects into construction, and support our cities, the County, transit agencies and business partners. Our work is an important part of supporting local communities and the economy.**

**Thank you,**

**Tess**

TABLE OF CONTENTS



## Project Updates

### Express Lanes


Interstate 680 northbound.

**Interstate 680 Express Lane**
Alameda CTC is the project sponsor and implementing agency of the Interstate 680 (I-680) Sunol Express Lanes project. The I-680 Sunol Southbound Express Lane was opened to traffic in September 2010 as a controlled access express lane. The parallel northbound express lane is currently open for use in HOV-only mode while toll system development activities are being completed.

The I-680 Sunol Southbound Express Lane ceased revenue operations and began operating in high-occupancy vehicle (HOV)-only mode beginning August 10, 2020. It is currently open for use only to HOV-eligible vehicles during the operating hours of 5 a.m.-8 p.m., Monday through Friday, and open to all users during all other hours. The new northbound express lane opened for use on October 29, 2020, also in HOV-only mode, as construction and toll system activities are being completed.

Implementation of the new toll system requires the services of a Toll System Integrator (TSI) to provide very specialized services for toll system design, software development, equipment procurement and installation, testing and opening of the express lanes for revenue service. Testing is underway now and upon completion of system testing during live operations, the toll system implementation will be considered complete and ready to open for toll collections in early 2023.


Interstate 680 southbound.

**Interstate 580 Express Lanes in its sixth year of operation**
Since opening in February 2016, the Interstate 580 (I-580) Express Lanes have been operating along approximately 10 eastbound miles from Hacienda Drive in Pleasanton to Greenville Road in Livermore and approximately 12 westbound miles from Greenville Road to the I-580/I-680 Interchange in Dublin.

Express lanes continue to be monitored to manage congestion and optimize corridor capacity. Optimization of corridor capacity provides motorists with significant benefits, including travel time savings and travel reliability.

*Project Updates cont'd on page 2*

# Planning Updates

### International Walk and Roll to School Day 2022

The Alameda County Safe Routes to Schools (SR2S) Program will celebrate the annual International Walk and Roll to School Day on Wednesday, October 12, 2022. On this special day, students will join millions around the world to promote active travel to and from school. The celebration will begin when students arrive at school where they will experience hands-on learning by demonstrating active transportation options. The SR2S program inspires active transportation through technical support, event facilitation, and materials for learning and encouragement.

Learn more about International Walk and Roll to School Day at [https://alamedacountysr2s.org/our-services/plan-an-event/iwr2sd/](https://alamedacountysr2s.org/our-services/plan-an-event/iwr2sd/), and get more information about Alameda County's Safe Routes to Schools program at [https://alamedacountysr2s.org/](https://alamedacountysr2s.org/).

**On the Move with the Student Transit Pass Program**

Back-to-school season is here, and that means applications for the affordable **Student Transit Pass Program (STPP)** are now open making it easier for Alameda County's middle and high school students to travel to and from school, school-related programs, jobs and other activities. Ask Luis Tambunga, a STPP student at Lincoln High School in San Leandro. Luis says, "I'm so happy I got my Clipper card. I use it to go to school, to my Regional Occupation Program and to work. It has made my life much easier."

The STPP has been ongoing—now four years strong—and we are officially at 132 schools in 15 districts across the Alameda County, reducing transportation access barriers and building support for transit in the County.

Find out more on how to apply for a Student Transit Pass and learn more details about the program at [https://www.alamedactc.org/programs-projects/studentpass/](https://www.alamedactc.org/programs-projects/studentpass/).

# Policy News

### The Inflation Reduction Act

Last month, President Biden signed into law the Inflation Reduction Act—sweeping legislation to address climate change, clean energy and transportation. This bill has the largest climate investment in the history of our nation and will help reduce carbon emissions, accelerate the transition to clean energy, improve air quality and promote environmental justice. It also includes tax credits and renewable energy tax incentives for next-generation technologies.

**State Update**

The legislature returned to Sacramento in August for final actions on bills. August 31st was the last day for each house to pass bills. The Governor will sign or veto bills by September 30th.

The Commission adopted positions on the following bills that have been presented to Governor Newsom for signature:

**SB 922 - Support:** expands the application of the California Environmental Quality Act (CEQA) exemptions for various transit and transportation-related projects, including pedestrian and bicycle projects that improve safety, access and mobility.

**SB 1121 - Support:** This bill requires the California Transportation Commission (CTC) to biennially develop a needs assessment of the cost to operate, maintain, and provide for the future growth and resiliency of the state and local transportation system.

**AB 1909 - Support:** Bike Omnibus Bill, which includes a number of items related to reducing restrictions on bicycle operations.

**AB 2097 - Support:** this bill would prohibit public agencies from imposing or enforcing minimum automobile parking requirements for residential, commercial and other developments if the parcel is located near a high-quality transit corridor or a major transit stop.

**AB 2147 - Support:** this bill would prohibit a peace officer, as defined, from stopping a pedestrian for specified traffic infractions unless a reasonably careful person would realize there is an immediate danger of collision with a moving vehicle or other device moving exclusively by human power.

**AB 1951 - Oppose:** Expands for a five-year period, the existing partial sales and use tax exemption for manufacturing and research and development by making it a full exemption.

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*Project Updates cont'd from page 1*

Express lane usage decreased significantly after the initial COVID-19 shelter-in-place orders in 2020 and has slowly returned throughout 2020 and 2021. As of June 2022, overall express lane use has rebounded, and is just three percent lower than pre-COVID levels. Commute travel patterns have shifted such that express lane travel in the peak hours has decreased, indicating a shift to travel during off-peak hours.

From inception through June 2022, the I-580 Express Lanes have recorded over 49 million total trips and collected over $67 million in gross toll revenues, which fund ongoing operations and facility maintenance, as well as maintenance and risk reserves.

More information about these and other Alameda CTC projects can be found on the agency's **Projects webpage**.

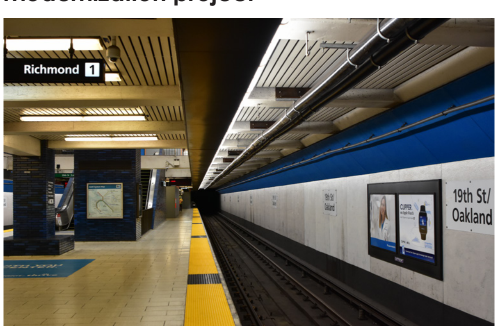
# Programming Updates

## 2024 Comprehensive Investment Plan – One Bay Area Grant 3 nomination update

On May 10, 2022, Alameda CTC released a Call for Projects for the 2024 Comprehensive Investment Plan (CIP). The total 2024 CIP Fund Estimated Call included $150.8 million in combined Measure B, Measure BB, Vehicle Registration, Transportation Fund for Clean Air (TFCA) and One Bay Area Grant 3 (OBAG 3) program funds. In response to the call, Alameda CTC received 52 applications, totaling a funding request amount of approximately $260.7 million. Out of the 52 applications, 35 applications were eligible for OBAG 3 funds. These eligible applications were evaluated against the Commission-approved criteria for the 2024 CIP/OBAG program.

On September 22, 2022, Alameda CTC will present an OBAG 3 Project Nomination List to the Commission for approval. Upon the Commission's approval, Alameda CTC will forward the OBAG 3 Project Nomination to MTC for their funding consideration and final approval. Upon final determination of the OBAG 3 Program in spring 2023, Alameda CTC will finalize recommendations for the remaining discretionary funds available through the 2024 CIP.

**BART 19th Street/Oakland Station Modernization project**




BART began Phase 1 construction of the 19th Street/Oakland BART Station Modernization project in 2020. Funded with approximately $17.7 million of

*Programming Updates cont'd on page 4*

# Finance Updates

## Fiscal Year 2021-22 audit has begun

In July and August, Alameda CTC's finance team worked to close out accounting books for the Commission and the Sunol Joint Powers Authority (JPA) ensuring that all activity for fiscal year (FY) 2021-22 was recorded. Final trial balances were delivered to auditors from Maze and Associates for the audit which began in late August and extends into September. Auditors will complete testing and reviews necessary to form an opinion on the annual financial reports for Alameda CTC and the Sunol JPA.

**Annual Comprehensive Financial Report**

The finance team has started to draft the Annual Comprehensive Financial Report (ACFR) for FY 2021-22. The ACFR is scheduled to go to the Finance and Administration Committee in November and to the Commission in December for final approval. The Sunol JPA's draft FY 2021-22 Annual Financial Report is scheduled to go to the Sunol JPA board for approval in November.

Lastly, the Measure BB Sales Tax Revenue Bonds (Limited Tax Bonds), Series 2022 transaction closed in July providing over $140 million to fund several capital projects in the Measure BB program.

**Contracting Opportunities**

Alameda CTC anticipates upcoming solicitation of bids and/or proposals for the following contracts:

**Professional Services contracts**

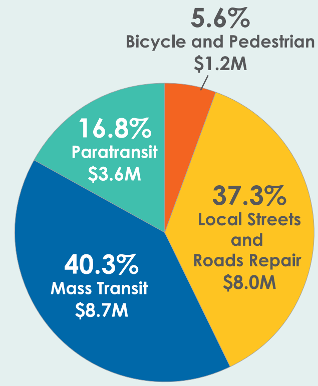
- Alameda County Safe Routes to Schools Program – Education, Communications, and Outreach
- Alameda County Safe Routes to Schools Program – Direct Student Safety Training, Site Assessments, and Program Evaluation
- Investment Advisory Services
- Legislative Advocacy – Federal
- Legislative Advocacy – State

*Finance Updates cont'd on page 4*

## Transportation Investments

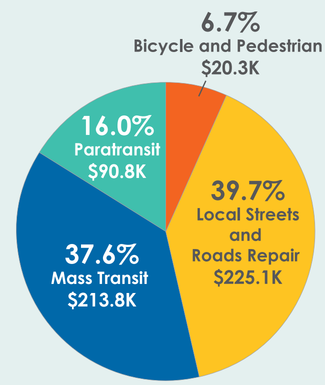
**Measure BB Program Distributions**

Measure BB direct local distributions began in April 2015 and total over $607.2 million; over $21.5 million was distributed in June 2022.



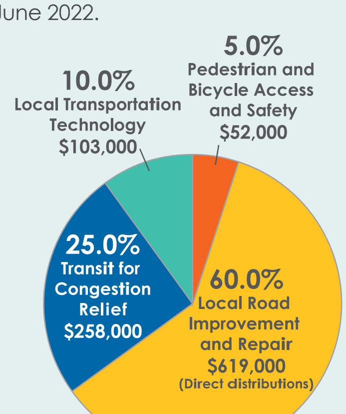

**Measure B Program Distributions**

Measure B direct local distributions have totaled more than $1.3 billion since 2002. The measure sunset on March 31, 2022, and in June 2022, over $567.6 thousand was distributed for four programs.




**Vehicle Registration Fee**

Since 2011, Alameda CTC has distributed more than $80.5 million for local road repair; over $1.0 million was collected in June 2022.



## Agency Activities

In August and September 2022, the following events were either hosted, sponsored or participated in by Alameda CTC:

- August 6-7 – Fremont Festival of the Arts in partnership with AC Transit, Fremont
- August 25 – Women on the Rise/ Women Equality Day, an event sponsored by WTS with Executive Director Lengyel moderating discussion, San Francisco
- September 11 – Solano Stroll. Berkeley and Albany
- September 26 – Aging and Disability Resource Center Advisory Council Ad-Hoc Committee, a remote presentation on transportation-related services for people with disabilities and for older adults in Alameda County
- September 29 – 19th Annual Healthy Living Festival, Oakland Zoo
- Bike Mobile outreach events
  - August 2 – Farmers' Market; National Night Out, Berkeley
  - August 3 – Wexford Way Apartments, Dublin
  - August 4 – The Unity Council Apartments, Oakland
  - August 5 – Searles Elementary School, Union City
  - August 10 – Centerville Library, Livermore
  - August 11-12 – Wallis Ranch Park, Dublin
  - August 17 – Alameda Free Library, Alameda; Center of Community Life, Emeryville
  - August 20 – Casa Arroyo Apartments, Fremont
  - August 24 – Tassafaronga Village Apartments, Oakland; Hillview Crest Elementary, Hayward
  - August 26 – KIPP King Collegiate High, San Leandro
  - September 1 – Henry P. Mohr Elementary, Pleasanton
  - September 3 – Harmon St. Community Festival, Berkeley
  - September 10 – Newark Library, Newark
  - September 13 – Castro Valley Library, Castro Valley
  - September 17 – Dublin Library, Dublin
  - September 21 – Walnut Grove Elementary, Pleasanton
  - September 30 – Esperanza Apartments, Alameda

# Other News

### ACT Safely During Rail Safety Week

In 2018, Alameda CTC received a grant from the **California Office of Traffic Safety (OTS)** to develop a rail safety education program to raise awareness about trespassing and to teach safe behaviors when walking or bicycling near railroads. The new program, ACT Safely, is one that the Safe Routes to Schools (SR2S) Program promotes by encouraging schools to observe national Rail Safety Week, which is September 19-25, 2022.

OTS CALIFORNIA OFFICE OF TRAFFIC SAFETY

The goal of Rail Safety Week is to raise awareness about the importance of rail safety and to empower the general public to keep themselves safe near railroad crossings and along railroad rights-of-way. This effort is led by Operation Lifesaver, Inc. (OLI), the national rail safety education nonprofit, which works in partnership with the U.S. Department of Transportation and other organizations to observe Rail Safety Week each year. Visit the **Alameda County Safe Routes to Schools webpage** for more information on rail safety.

OPERATION LIFESAVER® California


# Committee Activities

### September advisory committees

During September, the following technical advisory committee met:

- September 8 –The Alameda County Technical Advisory Committee (ACTAC) approved both the FY 2022-23 Transportation Fund for Clean Air Program and One Bay Area Grant Cycle 3 (OBAG 3) Project Nomination List that is to go to the Metropolitan Transportation Commission for their funding consideration and final approval. The committee also received information on the final FY 2022-23 Annual Obligation Plan, Countywide Bikeways Guidelines and the Alameda County Federal Inactive Projects.

Please visit the **Alameda CTC meetings webpage** for details on these and all other meetings.

***Programming Updates cont'd from page 3***

Measure BB funds, construction on this project is estimated to be completed by March 2023. Currently, 100 percent of utility relocation, demolition for the new elevator and the LED lighting upgrade is completed; 90 percent of the station painting is completed. This modernization project provides the downtown 19th Street/Oakland BART station with significant improvements to improve access, safety and service for all.

***Finance Updates cont'd from page 3***

- Municipal Advisory and Support
- On-Call Planning Services
- Student Transit Pass Program

**Construction contracts**

- 7th Street Grade Separation East

For more information, visit Alameda CTC's **Contracting Opportunities webpage**.

1. **Call to Order**

2. **Roll Call**

   A roll call was conducted. All members were present with the exception of Commissioners Bonnano, Brown, Dutra-Vernaci, Mei, Miley and Thao.

   **Subsequent to the roll call:**

   Commissioners Mei and Thao arrived during item 5.
   Commissioner Miley arrived during item 7.1

3. **Public Comment**

   There were no public comments.

4. **Chair and Vice Chair Report**

   Chair Bauters highlighted the success of the recent sale of Measure BB Sales Tax Revenue Bonds, which resulted in over $140 million in proceeds. He stated that in May, the Commission released a 2024 Comprehensive Investment Plan and One Bay Area Grant call for projects. Chair Bauters also noted that the Justice, Equity, Diversity and Inclusion (JEDI) committee, met on July 11, 2022 and will provide updates to the PPLC in September.

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

5. **Executive Director Report**

   Tess Lengyel noted that the full July 2022 Executive Director's Report was included in the packet and includes a link to the Independent Watchdog Committee (IWC) Annual Report. Ms. Lengyel provided an update on project delivery and concluded with an update on the success of the Measure BB Bond sales trip, noting that the bonds were highly over-subscribed with a par value of $124.03 million and over $609 million in interest for the bonds. Ms. Lengyel noted that because the bonds were so over subscribed, Alameda CTC's underwriters were able to lower the return, saving the agency almost $300 thousand in debt service over time. Ms. Lengyel thanked Alameda CTC staff and Chair Bauters for their hard work on the sale, which will ensure we can deliver projects as promised to voters.

6. **Consent Calendar**

   **6.1.** Approve June 23, 2022 Commission Meeting Minutes

   **6.2.** Approve actions related to a Funding Exchange Agreement with the Metropolitan Transportation Commission for the San Pablo Avenue Multimodal Corridor, East

Bay Greenway Multimodal Corridor Phase-1, and the SR-262 (Mission Boulevard) Cross Connector projects

**6.3.** Approve Contract Amendment No. 3 to Professional Services Agreement A20-0004 with WMH Corporation for I-680 Southbound Express Lanes Project from SR-84 to Alcosta Boulevard (PN: 1490001)

**6.4.** Approve the Third Amended and Restated Joint Powers Agreement with Santa Clara Valley Transportation Authority (VTA)

**6.5.** Approve actions to facilitate Environmental and Design phases of Alameda CTC implemented Rail Safety Enhancement Program - Phase A (RSEP-A) Capital Project

**6.6.** 2024 Comprehensive Investment Plan Summary of Applications Received

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

**6.8.** Approve Release of a Request for Proposals (RFP) for the Student Transit Pass Program

**6.9**. Federal, state, regional, and local legislative activities update

**6.10**. Consider and Adopt Resolution Pursuant to Government Code Section 54953(e) (AB 361) to Allow Hybrid and/or Remote Commission and Committee Meetings

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

| | |
|---|---|
| *Yes:* | *Bauters, Brown, Carson, Cutter, Ezzy Ashcraft, Freitas, Halliday, Haubert, Hernandez, Kaplan, King, Mei, Nason, Ortiz, Robinson, Saltzman, Thao, Valle* |
| *No:* | *None* |
| *Abstain:* | *None* |
| *Absent:* | *Bonnano, Brown, Dutra-Vernaci, Miley* |

## 7. Community Advisory Committees

### 7.1. Bicycle and Pedestrian Advisory Committee

Matt Turner, Chair of the Bicycle and Pedestrian Advisory Committee (BPAC) provided an update to the Commission on the July 21, 2022, BPAC meeting.

### 7.2. Independent Watchdog Committee

Pat Piras, Chair of the IWC provided an update to the Commission about the IWC's July 11, 2022 meeting and the 20th IWC Annual Report to the Public.

### 7.3. Paratransit Advisory and Planning Committee

There was no one present from Paratransit Advisory and Planning Committee.

## 8. Adjournment

The next meeting is Monday, September 12, 2022 at 9:30am.

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

## 1. Call to Order

## 2. Roll Call

A roll call was conducted. All members were present with the exception of Commissioners Carson, Freitas, Haubert, King, Mei, Miley, Thao and Valle.

## 3. Public Comment

There were no public comments.

## 4. Regular Matters

### 4.1. Consider an Adopt Resolution Pursuant to Government Code Section 54953(e) (AB 361) to Allow Hybrid and/or Remote Commission and Committee Meetings

*Commissioner Ortiz moved to approve the staff recommendation. Commissioner Brown seconded the motion. The motion passed with the following roll call vote:*

| | |
|---|---|
| *Yes:* | *Bauters, Bonnano, Brown, Cox, Cutter, Dutra-Vernaci, Ezzy Ashcraft, Halliday, Hernandez, Kaplan, Nason, Ortiz, Robinson, Saltzman* |
| *No:* | *None* |
| *Abstain:* | *None* |
| *Absent:* | *Carson, Freitas, Haubert, King, Mei, Miley, Thao, Valle* |

## 5. Adjournment

The next meeting is Thursday, September 22, 2022, at 2:00 p.m.

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# Memorandum 6.3

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

| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM** | Patricia Reavey, Deputy Executive Director of Finance and Administration |
| **SUBJECT:** | FY2021-22 Fourth Quarter Report of Claims Acted Upon Under the Government Claims Act Update |

## Recommendation

This item is to provide the Commission with an update on the FY2021-22 Fourth Quarter Report of Claims Acted upon under the Government Claims Act. This item is for information only.

## Summary

There were no actions taken by staff under the Government Claims Act during the fourth quarter of FY2021-22.

## Background

Tort claims against Alameda CTC and other California government entities are governed by the Government Claims Act (Act). The Act allows the Commission to delegate authority to an agency employee to review, reject, allow, settle, or compromise tort claims pursuant to a resolution adopted by the Commission. If the authority is delegated to an employee, that employee can only reject claims or allow, settle, or compromise claims $50,000 or less. The decision to allow, settle, or compromise claims over $50,000 must go before the Commission for review and approval.

California Government Code section 935.4 states:

> "A charter provision, or a local public entity by ordinance or resolution, may authorize an employee of the local public entity to perform those functions of the governing body of the public entity under this part that are prescribed by the local public entity, but only a charter provision may authorize that employee to allow, compromise, or settle a claim against the local public entity

> if the amount to be paid pursuant to the allowance, compromise or settlement exceeds fifty thousand dollars ($50,000). A Charter provision, ordinance, or resolution may provide that, upon the written order of that employee, the auditor or other fiscal officer of the local public entity shall cause a warrant to be issued upon the treasury of the local public entity in the amount for which a claim has been allowed, compromised, or settled."

On June 30, 2016, the Commission adopted a resolution which authorized the Executive Director to reject claims or allow, settle, or compromise claims up to and including $50,000.

There have only been a handful of small claims filed against Alameda CTC and its predecessors over the years, and many of these claims were erroneously filed, and should have been filed with other agencies. As staff moves forward with the implementation of Measure BB, Alameda CTC may experience an increase in claims against the agency as Alameda CTC puts more projects on the streets and highways of Alameda County and as Alameda CTC's name is recognized as a funding agency on these projects. Staff works directly with the agency's insurance provider, the Special District Risk Management Authority (SDRMA), when claims are received so that responsibility may be determined promptly and they might be resolved expediently or referred to the appropriate agency. This saves Alameda CTC money because when working with the SDRMA directly, much of the legal costs to address these claims are covered by insurance.

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

# Memorandum 6.4

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

| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM** | Patricia Reavey, Deputy Executive Director of Finance and Administration<br>Lily Balinton, Director of Finance |
| **SUBJECT:** | Approve an Update to the Alameda CTC Investment Policy |

## Recommendation

It is recommended that the Commission review and approve an update to the Alameda CTC investment policy.

## Summary

An update to the Alameda CTC investment policy is attached in red line to show recommended changes to the investment policy since it was last adopted. The recommended change to the policy is intended to clarify Commission responsibilities in section V.2. While the Finance and Administration Committee does meet four times per year, it does not truly meet on a quarterly basis, and quarterly reporting of investments also is not a requirement of the California Government Code. In addition, the proposed change to the language in this section will allow for the investment policy to be reviewed more than annually when it is in the best interest of the alameda CTC to do so.

## Background

The California Government Code (the Code) Section 53600.5 states, "… the primary objective of a trustee shall be to safeguard the principal of the funds under its control. The secondary objective shall be to meet the liquidity needs of the depositor. The third objective shall be to achieve a return on the funds under its control." These objectives are also reflected in Alameda CTC's investment policy, in the order of priority demonstrated in the Code. Staff has reviewed the investment policy and is recommending a change to provide additional clarification regarding reporting requirements. The current investment policy was adopted by the Commission in May 2022.

The attached investment policy (Attachment A) was developed in accordance with the Code in order to define parameters and guide staff and investment advisors in managing Alameda CTC's investment portfolio. The policy formalizes the framework for Alameda CTC's investment activities that must be exercised to ensure effective and prudent fiscal management of Alameda CTC's funds. The guidelines are intended to be broad enough to allow staff and the investment advisors to function properly within the parameters of fiscal responsibility and authority, yet specific enough to adequately safeguard the investment assets.

The primary objectives of the investment activities within the policy safeguard Alameda CTC assets by mitigating credit and interest rate risk, provide adequate liquidity to meet all operating requirements of Alameda CTC, and attain a market rate of return on investments taking into account the investment risk constraints of safety and liquidity needs.

Through the proposed investment policy, the Commission appoints the Executive Director and the Deputy Executive Director of Finance and Administration as Investment Officers who are responsible for the investment program of the Alameda CTC and will act responsibly as custodians of the public trust. The policy requires the Investment Officers to design internal controls around investments that would prevent the loss of public funds from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets or imprudent actions by employees and officers of Alameda CTC. It also allows the Investment Officers to periodically reset performance benchmarks to reflect changing investment objectives and constraints.

**Fiscal Impact:** There is no fiscal impact to the approval of this investment policy.

**Attachment:**

A. Draft Alameda CTC Investment Policy September 2022 (Redline)

***Alameda County Transportation Commission***
**Investment Policy**
**DRAFT**
**September~~May~~ 2022**

## I. Introduction

The intent of the Investment Policy of the Alameda County Transportation Commission (Alameda CTC) is to define the parameters within which funds are to be managed. The policy formalizes the framework for Alameda CTC's investment activities that must be exercised to ensure effective and prudent fiscal and investment management of Alameda CTC's funds. The guidelines are intended to be broad enough to allow Alameda CTC's Investment Officers (as defined below) to function properly within the parameters of responsibility and authority, yet specific enough to adequately safeguard the investment assets.

## II. Governing Authority

The investment program shall be operated in conformance with federal, state, and other legal requirements, including the California Government Code.

## III. Scope

This policy applies to activities of Alameda CTC with regard to investing the financial assets of all funds (except bond funds and retirement funds). In addition, any funds held by trustees or fiscal agents are excluded from these rules; however, all such funds are subject to regulations established by the State of California.

Note that any excluded funds such as employee retirement funds, proceeds from certain bond issuances and Other Postemployment Benefits (OPEB) trust assets are covered by separate policies.

## IV. General Objectives

The primary objectives, in order of priority, of investment activities shall be:

1. *Safety*

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The goal will be to mitigate credit and interest rate risk.

2. *Liquidity*

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated.

3. *Return*

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk contraints of safety and liquidity needs.

## V. Standard of Care

1. *Prudence*

The standard of prudence to be used by investment officials shall be the "prudent investor" standard (California Government Code Section 53600.3) and shall be applied in the context of managing an overall portfolio. Investment Officers acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

> "When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law."

2. *Delegation of Authority and Responsibilities*

Responsibilities of the Commission - The Commission, in its role as Alameda CTC's governing body, will retain ultimate fiduciary responsibility for the portfolios. On an annual basis, at a minimum, t~~T~~hey will receive ~~quarterly~~ reports for review, designate Investment Officers and ~~annually~~ review and adopt the investment policy.

The Commission hereby designates the Executive Director and the Deputy Executive Director of Finance and Administration, as Treasurer, as the Investment Officers.

Responsibilities of the Investment Officers - The Investment Officers are jointly responsible for the operation of the investment program. The Investment Officers shall act in accordance with written procedures and internal controls for the operation of the investment program consistent with the Investment Policy. All participants in the investment process shall seek to act responsibly as custodians of the public trust. No officer may engage in an investment transaction except as provided under the terms of this policy and supporting procedures.

Responsibilities of the Investment Advisor - Alameda CTC may engage the services of one or more external investment advisors to assist in the management of the investment portfolio in a manner consistent with Alameda CTC's objectives. Investment advisors may be granted discretion to purchase and sell investment securities in accordance with this Investment Policy and the California Government Code and must be registered under the Investment Advisors Act of 1940 or be a bank, regulated by the Office of the Comptroller of the Currency (OCC) or Federal Reserve operating under the fiduciary exemption from the Security and Exchange Commission. Any investment advisor shall be required to prepare and provide comprehensive reports on Alameda CTC's investments on a monthly and quarterly basis, and as requested by Alameda CTC's Investment Officers. At no time shall the investment advisor maintain custody of Alameda CTC cash or assets.

Responsibilities of the Custodian - A third party bank custodian shall hold Alameda CTC cash and assets under management by any investment advisor in the name of Alameda CTC. The custodian shall receive direction from the investment advisor on settlement of investment transactions.

## VI. Selection of Financial Institutions and Broker/Dealers

Alameda CTC's procedures are designed to encourage competitive bidding on transactions from an approved list of broker/dealers in order to provide for the best execution on transactions.

The Investment Officer, or the investment advisors, shall maintain a list of authorized broker/dealers and financial institutions that are approved for investment purposes. This list will be developed after a process of due diligence confirming that the firms qualify under the Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule). Alameda CTC shall purchase securities only from authorized institutions or firms.

The Investment Officer, or the investment advisor, shall obtain competitive offers on all purchases of investment instruments purchased on the secondary market whenever possible. A competitive bid can be executed through a bidding process involving at least three separate brokers/financial institutions or through the use of a nationally recognized trading platform. A competitive solicitation wherein only one bid or offer price is received shall satisfy the requirements of this Investment Policy. In such circumstances where offered securities are unique to one dealer and/or competitive price comparisons are not available, best efforts will be made to document quotations for comparable or alternative securities.

## VII. Safekeeping and Custody

1. *Delivery vs. Payment*

All trades of marketable securities will be executed on a delivery vs. payment (DVP) basis to ensure that securities are deposited in Alameda CTC's safekeeping institution prior to the release of funds.

2. *Third-Party Safekeeping*

Securities will be held by an independent third-party safekeeping institution selected by Alameda CTC's Investment Officers. All securities will be evidenced by safekeeping receipts in Alameda CTC's name. The safekeeping institution shall annually provide a copy of its most recent report on internal controls – Service Organization Control Reports (formerly SAS 70) prepared in accordance with the Statement on Standards for Attestation Engagements (SSAE) No. 16 (effective June 15, 2011.)

3. *Internal Controls*

The Investment Officers are responsible for establishing, maintaining and documenting an internal control structure designed to ensure that the assets of Alameda CTC are protected from loss, theft or misuse. The controls shall be designed to prevent the loss of public funds arising from fraud, employee error, misrepresentation by third parties, unanticipated changes in financial markets, or imprudent actions by employees and officers of Alameda CTC.

## VIII. Authorized Investments

The following investments will be permitted by this policy and are those authorized in the California Government Code.

1. United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

   a. Maximum maturity: 5 years
   b. Maximum percent of portfolio: 100%

2. Federal agency or United States government-sponsored enterprise obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises.

   a. Maximum maturity: 5 years
   b. Maximum percent of portfolio: 100%
   c. Type: Senior and fully guaranteed debt obligations
   d. Maximum per issuer: 35%

3. Repurchase Agreements used solely as short-term investments.

   The following collateral restrictions will be observed: Only U.S. Treasury securities or Federal Agency securities, as described in VIII 1 and 2 above, will be acceptable collateral. All securities underlying Repurchase Agreements must be delivered to Alameda CTC's custodian bank versus payment or be handled under a tri-party repurchase agreement. The total of all collateral for each Repurchase Agreement must equal or exceed, on the basis of market value plus accrued interest, 102 percent of the total dollar value of the money invested by Alameda CTC for the term of the investment. Since the market value of the underlying securities is subject to daily market fluctuations, the investments in repurchase agreements shall be in compliance if the value of the underlying securities is brought back up to 102 percent no later than the next business day. For any Repurchase Agreement with a term of more than one day, the value of the underlying securities must be reviewed on a regular basis.

   Market value must be calculated each time there is a substitution of collateral.

Alameda CTC or its trustee shall have a perfected first security interest under the Uniform Commercial Code in all securities subject to Repurchase Agreement.

Alameda CTC may enter into Repurchase Agreements with (1) primary dealers in U.S. Government securities who are eligible to transact business with, and who report to, the Federal Reserve Bank of New York, and (2) California and non-California banking institutions having assets in excess of $25 billion and having debt rated in the highest short-term rating category as provided by a nationally recognized statistical rating organization.

Alameda CTC will enter into a Master Repurchase Agreement, substantially in the form approved by the Securities Industry and Financial Markets Association (SIFMA) and by Alameda CTC's counsel, with each firm with which it enters into Repurchase Agreements.

a. Maximum maturity: 90 days
b. Maximum percent of portfolio: 20%

4. Obligations of the State of California or any local agency within the state, including bonds payable solely out of revenues from a revenue-producing property owned, controlled or operated by the state or any local agency or by a department, board, agency or authority of the state or any local agency.

    a. Maximum maturity: 5 years
    b. Maximum percent of portfolio: 10%
    c. Minimum credit quality: A (S&P); or A2 (Moody's); or A (Fitch)
    d. Maximum per issuer: 5%

5. Registered treasury notes or bonds of any of the other 49 states in addition to California, including bonds payable solely out of revenues from a revenue-producing property owned, controlled or operated by the state or by a department, board, agency or authority of any of the other 49 states, in addition to California.

    a. Maximum maturity: 5 years
    b. Maximum percent of portfolio: 10%
    c. Minimum credit quality: A (S&P); or A2 (Moody's): or A (Fitch)
    d. Maximum per issuer: 5%

6. Bankers' Acceptances, otherwise known as bills of exchange or time drafts which are drawn on and accepted by a commercial bank.

    a. Maximum maturity: 180 days
    b. Maximum percent of portfolio: 40%
    c. Minimum credit quality: A-1 (S&P); or P-1 (Moody's); or F-1 (Fitch)
    d. Maximum per issuer: 5%

7. Commercial paper rated in the highest two short-term rating categories, as provided by a nationally recognized statistical rating organization. The entity that issues the commercial paper shall meet all of the following conditions: (a) is organized and operating in the United States as a general corporation; (b) has total assets in excess of five hundred million dollars ($500,000,000); and (c) has debt other than commercial paper, if any, that is rated "A" or higher by a nationally recognized statistical-rating organization.

   a. Maximum maturity: 270 days
   b. Maximum percent of portfolio: 40%
   c. Minimum credit quality: A-1 (S&P); or P-1 (Moody's); or F-1 (Fitch)
   d. Maximum per issuer: 5%

   No more than 40% of the total portfolio may be invested cumulatively in commercial paper or asset-backed commercial paper as defined in Section 8 below. No more than 10% of the outstanding commercial paper of any single issuer may be purchased. No more than 10% of the total portfolio may be invested in the commercial paper and medium-term notes of a single issuer.

8. Asset-backed commercial paper of "prime" quality and issued by an entity organized within the United States as a special purpose corporation, trust, or limited liability company. The entity that issues the asset-backed commercial paper must meet all of the following conditions: (a) is rated "A-1" (or the equivalent) or higher by at least one nationally recognized statistical rating organization; and (b) has programwide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond.

   a. Maximum maturity: 270 days
   b. Maximum percent of portfolio: 40%
   c. Minimum credit quality: A-1 (S&P); or P-1 (Moody's); or F-1 (Fitch)
   d. Maximum per issuer: 5%

   No more than 40% of the total portfolio may be invested cumulatively in asset-backed commercial paper or commercial paper as defined in Section 7 above. No more than 10% of the outstanding commercial paper of any single issuer may be purchased. No more than 10% of the total portfolio may be invested in the commercial paper and medium-term notes of a single issuer.

9. Medium-term notes, defined as all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the U.S. or any state and operating within the U.S. Medium-term corporate notes shall be rated a minimum of "A" or its equivalent by a nationally recognized statistical rating organization.

a. Maximum maturity: 5 years
b. Maximum percent of portfolio: 30%
c. Minimum credit quality: A (S&P); or A2 (Moody's); or A (Fitch)
d. Maximum per issuer: 5%

No more than 10% of the total portfolio may be invested in the medium-term notes and commercial paper of a single issuer.

10. Asset-backed securities, including any consumer receivable pass-through certificate, equipment lease-backed certificate, consumer receivable backed bond, or other pay-through bond with a maximum maturity of five years or less. Asset-backed securities shall be rated "AAA" or its equivalent or better by a nationally recognized statistical rating organization.

    a. Maximum Maturity: 5 years
    b. Maximum percent of portfolio: 20%
    c. Minimum credit quality: AAA (S&P); or Aaa (Moody's); or AAA (Fitch)
    d. Maximum per issuer: 5%

11. FDIC insured or fully collateralized time certificates of deposit in financial institutions located in California.

    a. Maximum maturity: 1 year
    b. Maximum percent of portfolio: 10%
    c. Maximum per issuer: 5%

12. Negotiable certificates of deposit or deposit notes issued by a nationally or state-chartered bank, a savings association or a federal association, a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank.

    a. Maximum maturity: 3 years
    b. Maximum percent of portfolio: 30%
    c. Minimum credit quality: A (S&P); or A2 (Moody's); or A (Fitch)
    d. Maximum per issuer: 5%

13. State of California Local Agency Investment Fund (LAIF)

    Although LAIF may invest in securities not permitted in the Alameda CTC's Investment Policy, such investments shall not exclude LAIF from the Alameda CTC's list of eligible investments, provided that LAIF's periodic reports allow the Investment Officer to adequately assess the risk inherent in LAIF's portfolio. Funds invested in LAIF will follow LAIF policies and procedures.

    a. Maximum dollar limit: as determined by LAIF

The LAIF portfolio shall be reviewed annually in order to monitor its continuing suitability as an investment option for the Alameda CTC.

14. The California Asset Management Program (CAMP) and other Joint Powers Authority (JPA) Pools

    Shares of beneficial interest, issued by a joint powers authority organized pursuant to Section 6509.7 that invests in securities authorized by California Government Code Section 53601 subdivisions (a) to (r), inclusive, and that has retained an investment advisor that is registered or exempt from registration with the Securities and Exchange Commission having not less than five years of experience investing in the securities and obligations authorized by California Government Code Section 53601 and having at least five hundred million dollars ($500,000,000) under management.

    a. Maximum dollar limit: double the LAIF limit

    The CAMP and other JPA Pools shall be reviewed annually in order to monitor its continuing suitability as an investment option for Alameda CTC. Funds invested in CAMP will follow CAMP policies and procedures.

15. Shares of beneficial interest issued by diversified management companies that are money market funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1, et seq.). To be eligible for investment pursuant to this subdivision, these companies shall either: (1) attain the highest ranking or the highest letter and numerical rating provided by not less than two nationally recognized statistical rating organizations; or (2) retain an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years experience managing money market mutual funds with assets under management in excess of five hundred million dollars ($500,000,000).

    a. Maximum percent of portfolio: 20%
    b. Maximum per Prime Money Market Fund: 5%
    c. Maximum per Government Money Market Fund: 10%
    d. Minimum credit quality: AAAm (S&P); or Aaa-mf (Moody's); AAAmmf (Fitch)

16. United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank and eligible for purchase and sale within the United States.

    a. Maximum maturity: 5 years
    b. Maximum percent of portfolio: 10%

c. Minimum credit quality: AA (S&P); or Aa (Moody's); or AA (Fitch)

*Important Notes:*

a) The percentage limitation for all categories of investments and individual issuers refers to the percentage in the overall Alameda CTC portfolio on the date the security or shares are purchased as measured by the settlement date.

b) The individual security term to maturity restrictions of this Investment Policy shall be based upon the settlement date.

c) The credit rating requirements of this Investment Policy shall apply at the time of purchase. If the credit rating of a security is downgraded below the minimum required rating level for a new investment of that security type subsequent to its purchase, the investment advisor shall promptly notify the Investment Officer. The Investment Officer shall evaluate the downgrade on a case-by-case basis in order to determine if the security should be held or sold. The Investment Officer will apply the general objectives of safety, liquidity, yield and legality to make the decision.

## IX. Ineligible Investments

Any security type or structure not specifically approved by this policy is hereby specifically prohibited. Security types which are thereby prohibited include, but are not limited to:

1. "Complex" derivative structures such as range notes, dual index notes, inverse floaters, leveraged or de-leveraged floating-rate notes, or any other complex variable-rate or structured note;

2. Interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest accrual if held to maturity except for the purchase of securities issued or backed by the United States government in the event of, and for the duration of, a period of negative market interest rates;

3. Non-agency mortgage-backed pass-through securities;

4. Other non-agency mortgage-backed securities; and

5. Non-agency collateralized mortgage obligations.

## X. Investment Parameters

1. Credit Risk – Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to repay its debt. The diversification requirements included in Section VIII are

designed to mitigate credit risk. Alameda CTC shall additionally mitigate credit risk by adopting the following diversification strategies:

   a. Avoiding overconcentration in any one issuer or business sector;

   b. Limiting investments in securities with higher credit risks; and

   c. Maintaining a portion of the portfolio in a highly liquid investment such as LAIF

2. Market Risk - Market risk is the risk that the portfolio will fluctuate due to changes in the general level of interest rates. Alameda CTC recognizes that, over time, longer-term portfolios have the potential to achieve higher returns. On the other hand, longer-term portfolios have higher volatility of return. Alameda CTC shall mitigate market risk by providing adequate liquidity for short-term cash needs, and by making some longer-term investments only with funds that are not needed for current cash flow purposes. Alameda CTC further recognizes that certain types of securities, including variable rate securities, securities with principal paydowns prior to maturity, and securities with embedded options, will affect the market risk profile of the portfolio differently in different interest rate environments. Alameda CTC, therefore, adopts the following strategies to control and mitigate its exposure to market risk:

   a. Alameda CTC shall invest in securities with varying maturities, maintaining a minimum of three months of budgeted operating expenditures in short term investments to provide sufficient liquidity for expected disbursements;

   b. The maximum percent of callable securities in the portfolio shall be 25%;

   c. The maximum stated final maturity of individual securities in the portfolio shall be five years, except as otherwise stated in this policy;

   d. Liquidity funds will be held in LAIF, CAMP or in money market instruments maturing within one year or less or held in securities with maturities matched to anticipated expenditures;

   e. Longer term/Core funds will be defined as the funds in excess of liquidity requirements. The investments in this portion of the porfolio will have maturities between 1 day and 5 years and will only be invested in higher quality and liquid securities; and

   f. The duration of the Core or benchmarked portion of the portfolio shall at all times be approximately equal to the duration of a Market Benchmark Index selected by Alameda CTC based on Alameda CTC's investment objectives, constraints and risk tolerances, plus or minus 25%.

3. Maximum percentages for a particular issuer or investment type may be

exceeded at a point in time subsequent to the purchase of a particular issuer or investment type. Securities need not be liquidated to realign the portfolio; however, consideration should be given to this matter when future purchases are made to ensure that appropriate diversification is maintained.

## XI. Performance and Program Evaluation

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. A series of appropriate benchmarks shall be established against which portfolio performance shall be compared on a regular basis. The benchmarks shall be reflective of the actual securities being purchased and risks undertaken and the benchmarks shall have a similar weighted average maturity and credit profile commensurate with investment risk constraints and liquidity needs of Alameda CTC.

Alameda CTC may periodically update the performance benchmarks to reflect current investment objectives and constraints and shall communicate such changes to the investment advisor.

## Appendix I

### AUTHORIZED INVESTMENTS SUMMARY TABLE

| INVESTMENT | % OF PORTFOLIO | | PURCHASE RESTRICTIONS | MAXIMUM MATURITY | | MINIMUM CREDIT QUALITY | |
|---|---|---|---|---|---|---|---|
| | Per Cal. Gov't Code | Alameda CTC Policy | Alameda CTC Policy | Per Cal. Gov't Code | Alameda CTC Policy | Per Cal. Gov't Code | Alameda CTC Policy |
| U.S. Treasury Notes, Bonds, Bills or Certificates of Indebtedness | 100% | 100% | None | 5 years | 5 years | NA | NA |
| Federal or U.S. Sponsored Obligations fully guaranteed by Federal Agencies or U.S. Government Sponsored Enterprises | 100% | 100% | Max 35% per issuer | 5 years | 5 years | NA | Senior and Fully Guaranteed Debt |
| Repurchase Agreements | NA | 20% | Strict collateral requirements; Master Repurchase Agreement | 1 year | 90 days | NA | NA |
| State of California and California Local Agency Bonds | NA | 10% | Max 5% per issuer | 5 years | 5 years | NA | A (S&P) or A2 (Moody's) or A (Fitch) |
| Bonds of any of the other 49 states in addition to California | NA | 10% | Max 5% per issuer | 5 years | 5 years | NA | A (S&P) or A2 (Moody's) or A (Fitch) |

| INVESTMENT | % OF PORTFOLIO | | PURCHASE RESTRICTIONS | MAXIMUM MATURITY | | MINIMUM CREDIT QUALITY | |
|---|---|---|---|---|---|---|---|
| | Per Cal. Gov't Code | Alameda CTC Policy | Alameda CTC Policy | Per Cal. Gov't Code | Alameda CTC Policy | Per Cal. Gov't Code | Alameda CTC Policy |
| Bankers' Acceptances | 40% | 40% | Max 5% per issuer | 180 days | 180 days | NA | A-1 (S&P) or P-1 (Moody's) or F-1 (Fitch) |
| Commercial paper of U.S. corporations with total assets exceeding $500,000,000 | 40% | 40% | Max 10% of outstanding paper of any single issuer & max 5% of portfolio of any one issuer | 270 days | 270 days | A-1 or P-1 or F-1 | A-1 (S&P) or P-1 (Moody's) or F-1 (Fitch) |
| Asset-backed commercial paper issued by entities organized in the U.S. | 40% | 40% | Max 10% of outstanding paper of any single issuer & max 5% of portfolio of any one issuer | 270 days | 270 days | A-1 or P-1 or F-1 | A-1 (S&P) or P-1 (Moody's) or F-1 (Fitch |
| Medium Term Corporate Notes of U.S. Corporations | 30% | 30% | Max 5% per issuer | 5 years | 5 years | A | A (S&P) or A2 (Moody's) or A (Fitch) |
| Asset-Backed Securities | 20% | 20% | Max 5% per issuer | 5 years | 5 years | AA | AAA (S&P) or Aaa (Moody's) or AAA (Fitch) |
| California Collateralized Time Deposits | NA | 10% | Max 5% per issuer | NA | 1 year | NA | NA |

| INVESTMENT | % OF PORTFOLIO | | PURCHASE RESTRICTIONS | MAXIMUM MATURITY | | MINIMUM CREDIT QUALITY | |
|---|---|---|---|---|---|---|---|
| | Per Cal. Gov't Code | Alameda CTC Policy | Alameda CTC Policy | Per Cal. Gov't Code | Alameda CTC Policy | Per Cal. Gov't Code | Alameda CTC Policy |
| Negotiable Certificate of Deposits | 30% | 30% | Max 5% per issuer | 5 years | 3 years | NA | A (S&P) or A2 (Moody's) or A (Fitch) |
| State of California- Local Agency Investment Fund (LAIF) | NA | NA | As limited by LAIF | NA | NA | NA | NA |
| California Asset Management Program and other Joint Powers Authority Pools | NA | NA | Double the LAIF limit | NA | NA | NA | NA |
| Shares of Beneficial Interests (Money Market Funds) | 20% | 20% | Max 5% per Prime fund, Max 10% per Government fund | NA | N/A | AAA | AAAm (S&P) or Aaa-mf (Moody's) or AAAmmf (Fitch) |
| Obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank | 30% | 10% | NA | 5 years | 5 years | AA | AA (S&P) or Aa (Moody's) or AA (Fitch) |

# Memorandum 6.5

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| | |
|---|---|
| **DATE:** | Septmeber 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Gary Huisingh, Deputy Executive Director of Projects<br>Angelina Leong, Assistant Transportation Engineer |
| **SUBJECT:** | Approve the Administrative Amendments to Various Agreements to Extend Agreement Expiration Dates |

## Recommendation

It is recommended that the Commission approve administrative amendments to various Alameda CTC agreements (A17-0049, A18-0026, A19-0002, A19-0019, A19-0051 and A21-0032) in support of both Alameda CTC-implemented Capital Projects and program delivery commitments and local agency-sponsored projects receiving Alameda CTC-administered discretionary funding.

## Summary

Alameda CTC enters into agreements/contracts with consultants and local, regional, state, and federal entities, as required, to provide the services, or to reimburse project expenditures incurred by project sponsors, necessary to meet the Capital Projects and program delivery commitments. Alameda CTC also enters into project funding agreements (PFAs) with local agencies for allocated Alameda CTC-discretionary fund sources, including Measure B, Measure BB, Vehicle Registration Fee and Transportation Fund for Clean Air. All agreements are entered into based upon estimated known project needs for scope, cost and schedule.

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

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

## Background

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

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

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

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

**Levine Act Statement:** Mark Thomas & Company, Inc. and its sub-consultants did not report any conflicts in accordance with the Levine Act.

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

**Attachment:**

A. Table A: Administrative Amendment Summary

Table A: Administrative Amendment Summary

| Index No. | Firm/Agency | Project/Services | Agreement No. | Contract Amendment History and Requests | Reason Code | Fiscal Impact |
|---|---|---|---|---|---|---|
| 1 | City of Oakland | 14th Avenue Streetscape Project | A17-0049 | A1: 36-month time extension from 12/31/2022 to 12/31/2025 *(current request)* | 1 | None |
| 2 | Mark Thomas & Company, Inc. | I-880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway) / Project initiation document and Project approval and environmental document | A18-0026 | A1: Contract General Terms<br>A2: Modify indemnification and insurance provisions in Contract<br>A3: 12-month time extension from 6/30/2021 to 6/30/2022<br>A4: 6-month time extension from 6/30/2022 to 12/31/2022<br>A5: Memorialize selection of Option 1 in Base Agreement<br>A6: 6-month time extension from 12/31/2022 to 6/30/2023 *(current request)* | 1 | None |
| 3 | East Bay Regional Park District (EBRPD) | EBRPD San Francisco Bay Trail Doolittle Drive | A19-0002 | A1: 12-month extension from 12/31/2022 to 12/30/2023 *(current request)* | 2 | None |
| 4 | BART | Warm Springs Extension Irvington Station | A19-0019 | A1: 12-month extension from 12/31/2022 to 12/30/2023 *(current request)* | 1 & 2 | None |

| | | | | | | |
|---|---|---|---|---|---|---|
| 5 | City of Fremont | Former State Route 84 Pavement Rehabilitation Project | A19-0051 | A1: 24-month extension from 12/31/2022 to 12/31/2024 *(current request)* | 1 & 2 | None |
| 6 | City of Alameda | Oakland-Alameda Bicycle-Pedestrian Bridge Project | A21-0032 | A1: 12-month extension from 6/30/2023 to 6/30/2024 *(current request)* | 1 | None |

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

# Memorandum 6.6

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Ashley Tam, Senior Transportation Engineer |
| **SUBJECT:** | I-580 Express Lanes Operations Update |

## Recommendation

This item is to provide the Commission with an update on the operation of the I-580 Express Lanes for the fourth quarter of fiscal year 2021-2022. This item is for information only.

## Summary

The purpose of this item is to provide the Commission with a Quarterly Operations Update of the existing I-580 Express Lanes for the fourth quarter of fiscal year 2021-2022 (April through June 2022). The express lanes continue to provide higher speeds and lower average lane densities than the general purpose lanes, as well as travel reliability along the corridor. See Attachment A for more detail.

## Background

The Alameda CTC is the project sponsor of the I-580 Express Lanes, located in the Tri-Valley corridor through the cities of Dublin, Pleasanton, and Livermore, which opened to traffic in February 2016. The I-580 Express Lanes extend from Hacienda Drive to Greenville Road in the eastbound direction and from Greenville Road to the I-680 Interchange in the westbound direction. Motorists using the I-580 Express Lanes facility benefit from travel time savings and travel reliability as the express lanes optimize the corridor capacity by providing a choice to drivers. Single occupancy vehicles (SOVs) may choose to pay a toll and travel within the express lanes, while carpools, clean-air vehicles, motorcycles, and transit vehicles using a FasTrak® flex toll tag may enjoy the benefits of toll-free travel in the express lanes.

An All Electronic Toll (AET) collection method has been employed to collect tolls. Toll rates are calculated based on real-time traffic conditions (speed and volume) in express and general purpose lanes, and can change as frequently as every three minutes. California Highway Patrol (CHP) officers provide enforcement services, and the California

Department of Transportation (Caltrans) provides roadway maintenance services through reimbursable service agreements.

Due to the COVID-19 public health crisis and state and regional Shelter-in-Place (SIP) orders, express lane use decreased significantly in spring 2020 and has slowly returned throughout 2020 and 2021. As of March 2022, and through June 2022, express lane traffic volumes are rebounding, and are close to traffic volumes prior to the pandemic.

**FY 2021-2022 Q4 Operations Update:**

Performance of the I-580 Express Lane for the fourth quarter (Q4) of fiscal year 2021-2022 are highlighted below. See Attachment A for more details.

- Motorists made over 2,109,000 express lane trips during operational hours in Q4. Daily express lane trips averaged 33,000, a 6% increase from the same quarter in the prior fiscal year.
  - Paid trips totaled 1,005,000, or 15,700 trips per day, which is a 3% decrease over the same quarter of the previous fiscal year.
  - Toll-free trips made up 52% of all trips, which is an increase over the 48% observed in the same quarter of the previous fiscal year.
- Generally, express lane users experienced better traffic conditions than the general purpose lanes, particularly during peak commute hours.
  - Westbound peak period (6 AM - 9 AM) express lane speeds averaged 64 miles per hour (mph) and users experienced average level of service (LOS) C throughout the corridor.
  - Eastbound peak period (3 PM - 6 PM) express lane speeds averaged 63 mph and users experienced averaged LOS C throughout the corridor.
- The average assessed toll for SOV motorists was $2.38 and $3.39 for westbound and eastbound, respectively.
- CHP performed 627 hours of enforcement services and made 653 enforcement contacts during Q4.

**COVID-19 Impacts:**

After SIP orders were issued in March 2020, traffic volumes in the express lanes decreased by approximately 60 percent. In response to the decreased usage, toll rates were rolled back to January 2018 levels, with maximum tolls of $13 for westbound travel and $9.50 for eastbound travel, which were lower than the pre-COVID maximums of $14 and $13, respectively. Staff increased the eastbound dynamic pricing cap back to the January 2019 maximum of $12 in February 2021 to manage rebounding express lane congestion. Staff returned the eastbound dynamic pricing cap back to the January 2020 level of $13 in September 2021 to ensure continued management of the express lanes. Staff continue to monitor traffic volumes and manage congestion in both directions.

I-580 express lane usage in Q4 is rebounding towards pre-COVID levels. While FY 2021-22 Q4 express lane usage increased 6% compared to FY 2020-21 Q4, it is still 3% lower than FY 2018-19 Q4. Eastbound usage decreased 1% compared to Q4 of FY 2020-21, it is still 4% lower than FY 2018-19 Q4. Westbound usage increased 15% compared to Q4 of FY 2020-21, it is still 2% lower than the same quarter of FY 2018-19.

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

**Attachment:**

A. I-580 Express Lane Operations Update (FY 2021-22 Q4)

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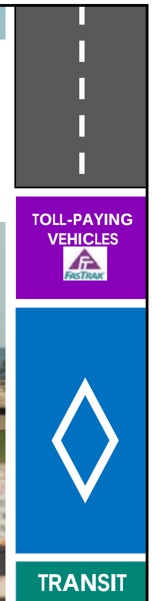
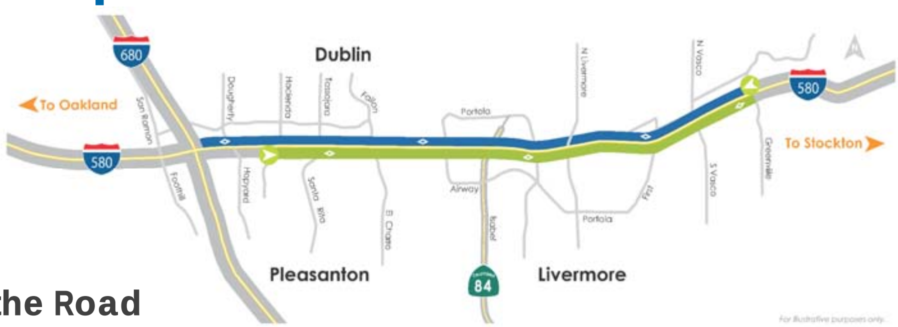
ALAMEDA COUNTY TRANSPORTATION COMMISSION

# I-580 Express Lanes
# Quarterly Operations Update


Programs and Projects Committee
Attachment A

## I-580 Express Lane Overview




### Rules of the Road

- Hours are 5 AM – 8 PM, Monday through Friday
- FasTrak® is required for all users
- Carpools (2+), motorcycles, transit buses, and eligible Clean-Air Vehicles (CAV)* travel toll-free with FasTrak Flex set to HOV 2 or HOV3+

* Policy to charge single-occupant CAVs a 50% toll will be implemented in 2022 with prior outreach to notify the public of the change.

Programs and Projects Committee

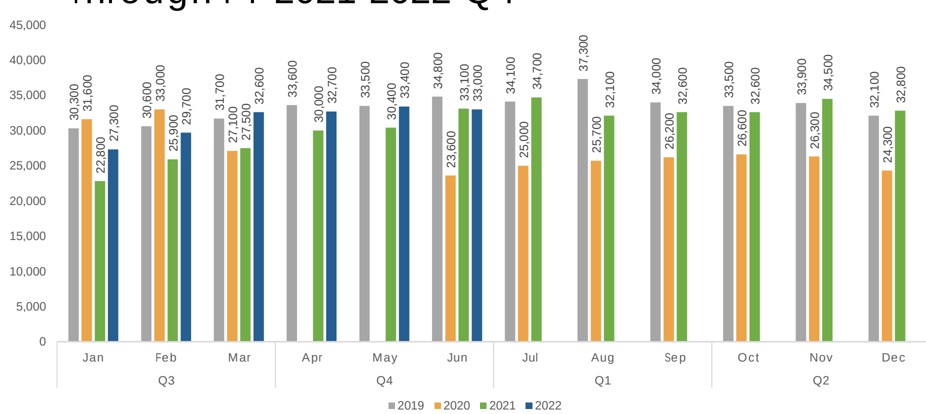
# FY 21-22 Q4 Performance Highlights

- Motorists made nearly 2,109,000 express lane trips during operational hours in Q4. Daily express lane trips averaged 33,000, a 6% increase from the same quarter in the prior fiscal year.
  - Paid trips totaled 1,005,000, or 15,700 trips per day, which is a 3% decrease over the same quarter of the previous fiscal year.
  - Toll-free trips made up 52% of all trips, which is an increase over the 48% observed in the same quarter of the previous fiscal year.
- Generally, express lane users experienced better traffic conditions than the general purpose lanes, particularly during peak commute hours.
  - Westbound peak period (6 AM - 9 AM) express lane speeds averaged 64 miles per hour (mph) and users experienced average level of service (LOS) C throughout the corridor.
  - Eastbound peak period (3 PM - 6 PM) express lane speeds averaged 63 mph and users experienced average LOS C throughout the corridor.
- The average assessed toll for single occupancy vehicle (SOV) motorists was $2.38 and $3.39 for westbound and eastbound, respectively.
- CHP performed 627 hours of enforcement services and made 653 enforcement contacts during Q4.



# Average Daily Express Lane Trips

Through FY 2021-2022 Q4




**Q3 of FY 2021-2022**

**2,109,000 Total Trips**

**Avg. Daily Trips compared to Q4 of FY 2020-21**

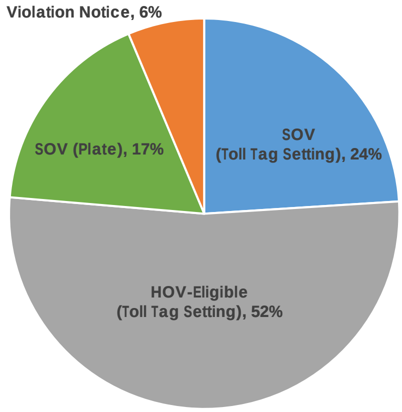
**+6%**

**Note**: Express Lane tolling operations were suspended between 3/20/20 and 6/1/2020 in response to the COVID-19 public health crisis.

Over 49 million express lane trips have been taken during tolling hours since the I-580 Express Lanes opened in February 2016. Of those, a total of 2,109,000 trips took place during Q4 of FY 2021-2022. Express Lanes saw an average of 33,000 trips per day, which represents a 6% increase compared to Q4 of FY 2020-2021.

# Typical Express Lane Trip User Breakdown

FY 2021-2022 Q4



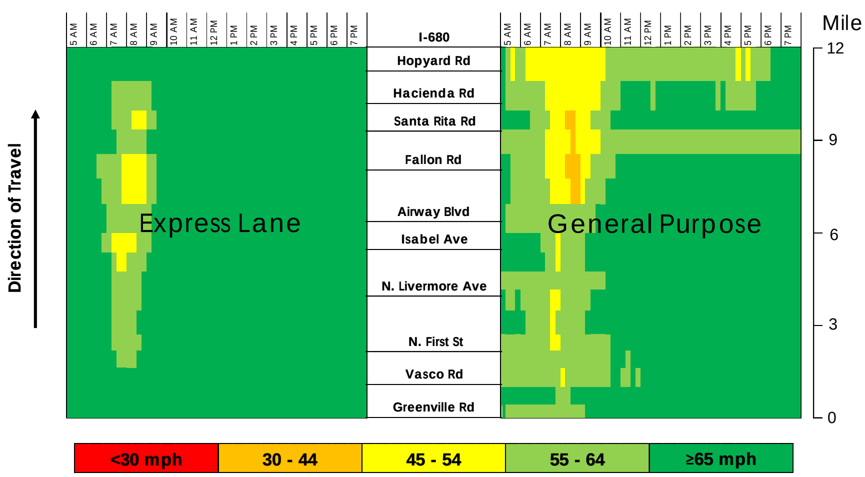

Toll-free trips made up 52% of all trips in Q4, a 4% increase from Q4 of the previous fiscal year.

During Q4, 73% of all trips taken by users without a toll tag were assessed tolls via FasTrak account. All others were issued violation notices.



# Westbound I-580 Corridor Speed Heat Maps

FY2021-2022 Q4

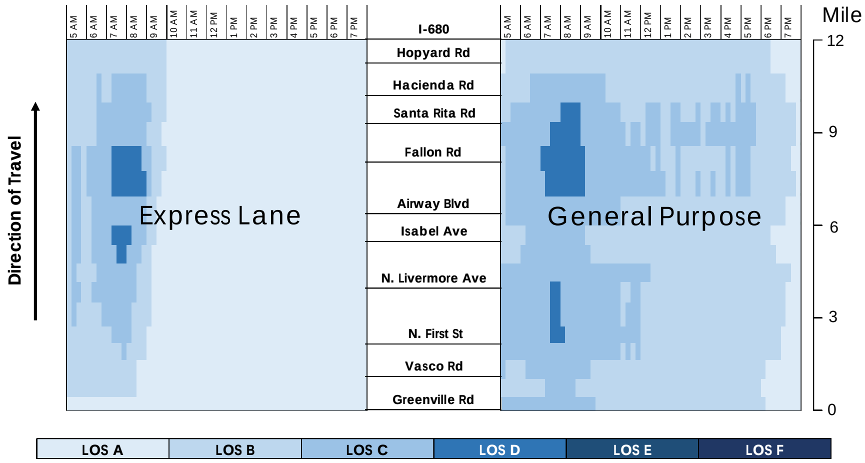



Express lanes average 6 – 9 mph faster than general purpose lanes depending on the time of day and location within the corridor.

Express Lane speeds average 64 mph during the morning commute period, versus 57 mph in the general purpose lanes, and remain elevated at all other times throughout the corridor.

# Westbound I-580 Corridor LOS Heat Maps

FY2021-2022 Q4



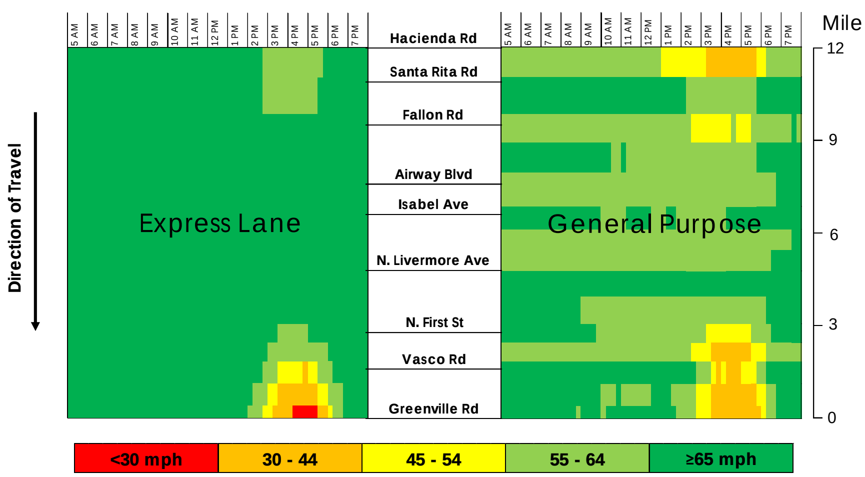

The westbound express lane generally performed at LOS B, except for the later morning hours when the lanes performed at LOS C. Comparatively, the general purpose lanes performed at LOS C during the morning peak.

Increased speeds and lower westbound express lane traffic volumes have contributed to low levels of congestion during the pandemic.



# Eastbound I-580 Corridor Speed Heat Maps

FY2021-2022 Q4

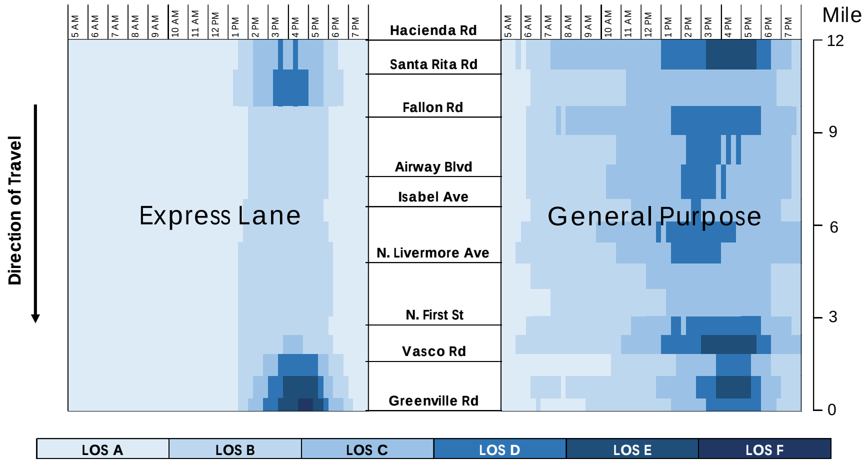



Express lanes average 5 – 10 mph faster than general purpose lanes depending on the time of day and location within the corridor.

Low speeds at Greenville Road result from congestion over the Altamont Pass that extends back along I-580 into the express lane corridor.

# Eastbound I-580 Corridor LOS Heat Maps

FY2021-2022 Q4

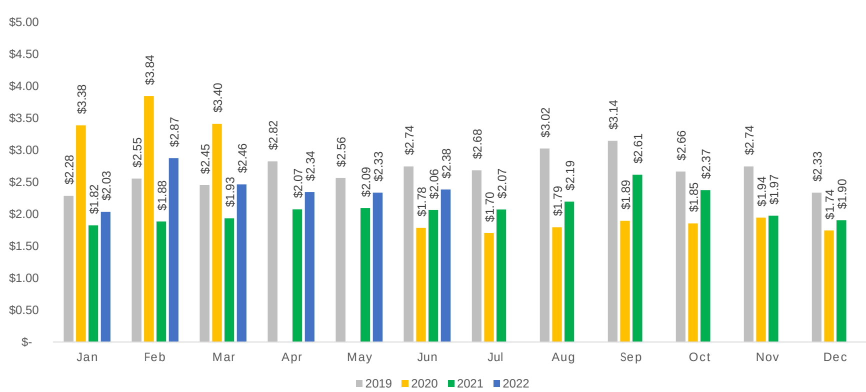



Express lanes performed at LOS C on average during the peak commute period, while the general purpose lanes averaged LOS D during the same period.

Heightened speeds have contributed to lower levels of traffic congestion during the pandemic despite the return of eastbound traffic volumes to pre-COVID levels.



# I-580 Westbound Assessed Toll




The average toll paid during Q4 decreased by 8 cents from Q3 of FY21-22, but increased over previous years with an average of $2.38. The dynamic pricing algorithm reached it's highest toll of Q4, which was $12.00, on one day.

**FY 21-22 Q4:**

**Toll Cap:**

**$13.00**

**Maximum Posted Toll Rate:**

**$12.00**

**(1 of 64 days)**

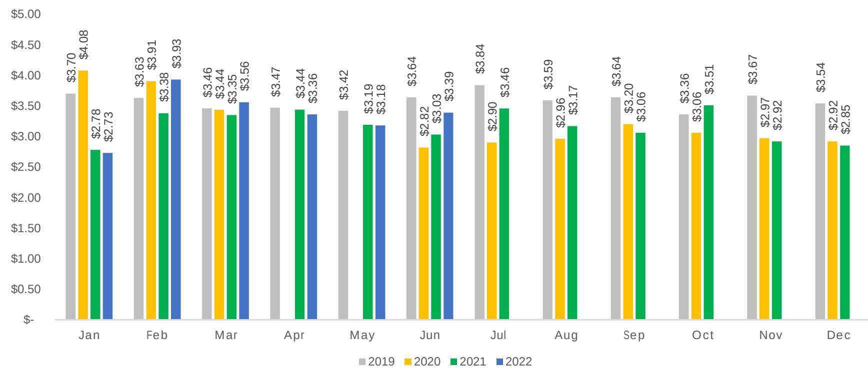
**Percent paying $12.00 (Maximum Toll):**

**0.00003%**

**Average Assessed Toll:**

**$2.38**

# I-580 Eastbound Assessed Toll




The average toll paid decreased over the course of Q4, and remained roughly on par with pre-pandemic levels at an average of $3.39 for the quarter. The pricing cap on eastbound tolls was raised to $13.00 in September 2021, and the maximum posted rate reached $13.00 in Q4 on 3 days.

**FY 21-22 Q4:**

**Toll Cap:**

**$13.00**

**Maximum Posted Toll Rate:**

**$13.00**

**(3 of 64 days)**

**Percent paying $13.00 (Maximum Toll):**

**0.0031%**

**Average Assessed Toll:**

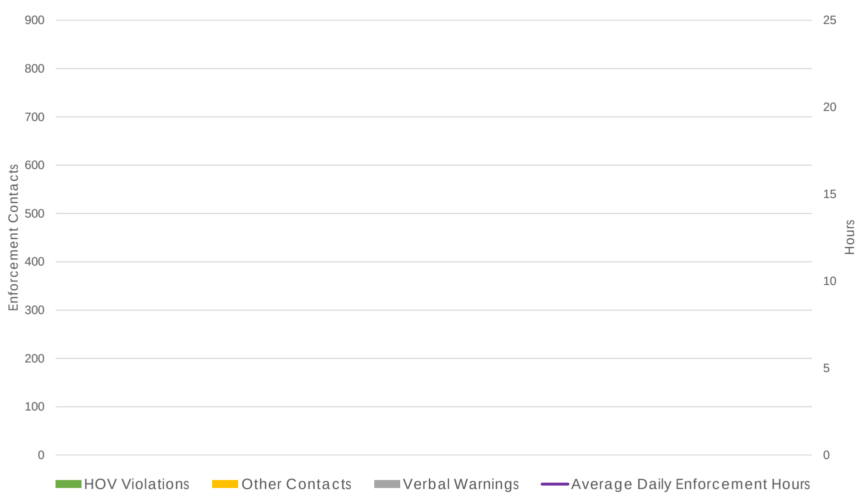
**$3.39**

ALAMEDA County Transportation Commission

**Programs and Projects Committee**

# I-580 CHP Enforcement

June 2021 – June 2022




**Average cost per CHP contact in Q4:**

**$120**

The California Highway Patrol provides enforcement of the I-580 Sunol Express Lanes. CHP recorded 593 enforcement contacts in FY 21-22 Q3, 28% of which resulted in toll evasion violations.


ALAMEDA County Transportation Commission

**Programs and Projects Committee**

# COVID-19 Impacts: Daily Trips & Tolls

| Averages | Apr – Jun 2021 (Q4 FY20-21) | Apr – Jun 2022 (Q4 FY21-22) | % Change |
|---|---|---|---|
| **Avg. Daily EL Trips** | 31,200 | 33,000 | **5.8%** |
| **Share of Toll-Free Trips** | 48% | 52% | **8.3%** |
| **Average Assessed Toll** | $2.07 WB<br>$3.21 EB | $2.38 WB<br>$3.39 EB | **15.0%**<br>**5.6%** |
| **Maximum Posted Toll** | $13.00 WB<br>$12.00 EB | $12.00 WB<br>$13.00 EB | **-7.7%**<br>**8.3%** |

ALAMEDA County Transportation Commission

Programs and Projects Committee

For more information, visit
[www.AlamedaCTC.org/expresslanes](www.AlamedaCTC.org/expresslanes)

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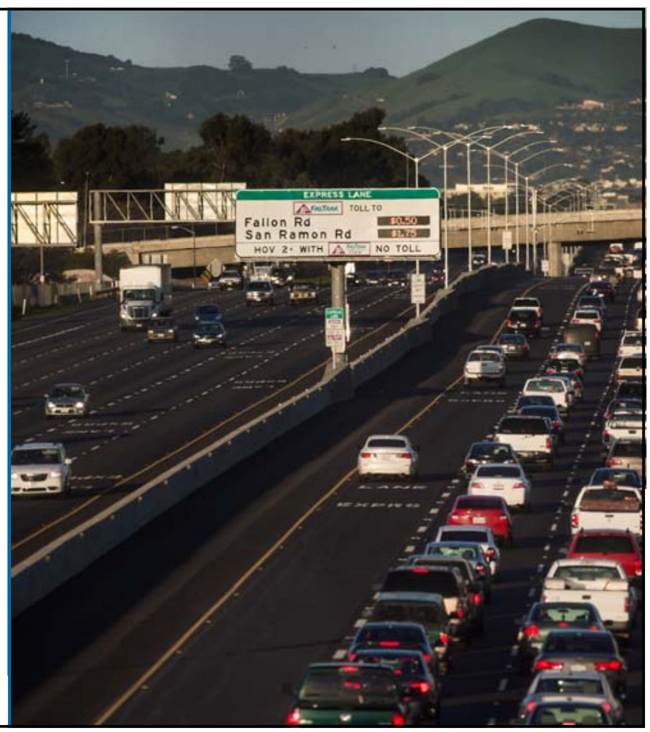

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# Memorandum 6.7

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Ashley Tam, Senior Transportation Engineer |
| **SUBJECT:** | Approve Alameda CTC Resolution No. 22-013 to revise Alameda CTC's Express Lanes Violation Penalties |

## Recommendation

It is recommended that the Commission approve Resolution No. 22-013 to revise Alameda CTC's express lanes violation penalties to $10 for the first notice plus $20 for the second notice (for a total of $30 after two notices).

## Summary

Staff recommends the approval of Resolution No. 22-0013, Revision to Alameda CTC Toll Violation Penalties, which revises the penalties to $10 for the first notice and an additional $20 for the second notice, effective October 3, 2022. The penalties are being reduced from $25 and $45, respectively.

## Background

Alameda CTC's current express lanes toll violation penalty structure, approved in 2015, is defined in its Toll Facility Ordinance at $25 + $45 for the first and second notice (for a total of $70 due at the time of the second notice) and was set as such to match BATA's penalty structure at the time.

On October 21, 2021, BATA reduced its penalties to $5 + $10 (for a total of $15 due at the time of the second notice). Subsequently, staff of Bay Area Infrastructure Finance Authority, Santa Clara Valley Transportation Authority, and San Mateo County Express Lanes Joint Powers Authority (collectively, "Partner Agencies") and Alameda CTC agreed to evaluate whether to revise the violation penalties for express lanes and to what value. Partner Agencies communicated a desire to maintain consistent penalties for all Bay Area express lanes to maintain a seamless customer-facing policy but voiced concerns with matching BATA's penalty amounts. They noted express lanes are different from toll bridges and warrant different fee structure to potential violators. Reasons include:

1. Express lanes have always required all electronic tolling via FasTrak accounts, whereas BATA's penalties reduction was in large part a result to a change to how the bridges are tolled after the removal of cash collection in March 2020.
2. Drivers have a choice to use the tolled express lane as solo drivers or free general purpose lanes;
3. Express lanes enforcement is more complicated, and operational costs and risk of leakage are higher due to continuous access and multiple toll points; and
4. Express lanes must meet Federal and State performance standards for travel speed and Level of Service.

To achieve regional consistency amongst express lanes operators, staff from Partner Agencies recommend reduction of penalties to $10 for the first notice plus $20 for the second notice, and will set a common effective date for all Bay Area operators. Most Partner Agencies have already obtained approval from their respective boards/commissions in the past few months between July and September 2022. The last board action by a Partner Agency will be on September 22, 2022 by Alameda CTC; operators have agreed to an effective date of October 3, 2022. Qualifying transactions on or after this date would be subject to the new reduced penalties.

**Fiscal Impact:** The fiscal impact for approving this item is a reduction in violation penalty/fee revenue, which will be included in the mid-year budget update for FY22-23.

**Attachment:**

A. Alameda CTC Resolution No. 22-0013 – Approval of Revised Penalties Schedule for the Alameda CTC Express Lanes

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# Alameda County Transportation Commission
# Resolution No. 22-013

## Resolution of the Alameda County Transportation Commission Determining Approval of Revised Penalties Schedule for the Alameda CTC Express Lanes

**WHEREAS,** the Alameda County Transportation Commission ("Alameda CTC") is authorized pursuant to California Streets and Highways Code section 149.5 to conduct, administer, and operate a value pricing high-occupancy vehicle program on a transportation corridor in Alameda County, which includes Express Lanes implemented on Interstate 580 ("I-580") in Alameda County; and

**WHEREAS**, the Vehicle Code authorizes penalties for certain types of violations; and

**WHEREAS**, Alameda CTC adopted an ORDINANCE FOR ADMINISTRATION OF TOLLS AND ENFORCEMENT OF TOLL VIOLATIONS in September 2020 ("Ordinance") that sets forth penalties for certain violations and allows updates of penalties by resolution; and

**WHEREAS,** Section 3(z) of the Ordinance specifically provides that the Penalties Schedule is attached in Appendix C of the Ordinance and such Appendix may be updated from time to time by resolution of Alameda CTC and upon adoption of such resolution, the new schedule will be effective and deemed included in the Ordinance

**NOW, THEREFORE BE IT RESOLVED**, Alameda CTC hereby adopts the revised Penalties Schedule, effective for transactions on or after October 3, 2022, as set forth in Attachment A to this Resolution, and incorporated herein as though set forth at length; and

**BE IT FURTHER RESOLVED,** effective for transactions on or after October 3, 2022, the Penalties Schedule in Attachment A, incorporated herein as though set forth at length, repeals and replaces the previous Penalties Schedule (adopted in September 2020) in Appendix C of the Ordinance.

**DULY PASSED AND ADOPTED** by the Alameda CTC at the regular Commission meeting held on Thursday, September 22, 2022 in Oakland, California and at other remote locations, by the following vote:

**AYES:** **NOES:** **ABSTAIN:** **ABSENT:**

SIGNED: Attest:

____________________________ ________________________________

John J. Bauters,
Chair, Alameda CTC

Vanessa Lee,
Clerk of the Commission

# Attachment A

## Appendix C
## Penalties Schedule

(as adopted by the Commission on____________.)

Toll Evasion Penalty: Original Toll plus up to a maximum $10 toll evasion penalty

Delinquent Penalty: Original Toll plus up to a maximum $30 penalty – i.e., $10 Toll Evasion Penalty plus $20 late fee

Exceptions:

1. If the violation is determined to be the fault of the Alameda CTC.
2. For first time offense, a non-customer can open a FasTrak® account prior to DMV registration hold or collections and the toll evasion penalty will be waived.
3. For FasTrak® account holders in good standing, toll-only will be posted to the account balance.

If the account balance is less than the amount of the toll, the account balance must be brought to the replenishment threshold amount prior to posting the violation toll amount.

Department of Motor Vehicles (DMV) Processing Fee:
A processing fee will be applied to violations sent to the DMV for a registration hold in the amount of the DMV recording fee authorized pursuant to Vehicle Code 4773, as said amount may be amended from time to time.

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Ashley Tam, Senior Transportation Engineer |
| **SUBJECT:** | Approve and Authorize the Executive Director to Execute Amendment No. 2 to Agreement A22-0002 with Electronic Transaction Consultants, LLC (ETC) |

## Recommendation

It is recommended that the Commission approve and authorize the Executive Director to execute Amendment No. 2 to Agreement A22-0002 with Electronic Transaction Consultants, LLC (ETC) for two-year extension and additional $4.7 million, a total not-to-exceed amount of $10.1 million for I-680 Sunol EL Project interim toll system operation and maintenance (O&M) phase services.

## Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and implementing agency of the I-680 Sunol EL Project, which has constructed a new 9-mile express lane segment on northbound I-680 between south of Auto Mall Parkway and SR 84 and converted the existing southbound controlled-access express lane to an open-access facility between SR 84 and SR 262. The express lanes have been open for use only to carpools since fall 2020. Alameda CTC has terminated the contract with the original toll system integrator (TSI) initially contracted to design and deploy the toll system.

In July 2021, the Commission approved a contract with ETC to establish an interim tolling system on the existing I-680 Sunol EL.

ETC was contracted to design and implement an interim tolling system for I-680 Sunol EL. The scope of work includes implementation of the toll system, and a total of four optional years of O&M services. At the time, budget was authorized for implementation only, as performance requirements during O&M were still being negotiated. Revenue services for the new toll system are expected to begin this winter. Staff recommends amending the agreement to extend by two years and add budget to authorize optional tasks relating to the O&M phase services. The amendment also modifies several system implementation requirements to add

functionality consistent with all regional Express Lanes. A summary of all contract actions related to Agreement No. A22-0002 is provided in Table A.

## Background

Alameda CTC is the project sponsor and implementing agency of the I-680 Sunol Express Lanes Project (I-680 Sunol EL Project), which passes through the cities of Milpitas and Fremont and the community of Sunol, and which has constructed a new 9-mile express lane segment on northbound I-680 between south of Auto Mall Parkway and SR 84 and converted the existing southbound controlled-access express lane to an open-access facility between SR 84 and SR 262. Alameda CTC is also the project sponsor and implementing agency of the I-680 and SR-84/I-680 Interchange Improvements Project, which will extend the southbound lane northward by two miles, and the I-680 Southbound Express Lanes from SR 84 to Alcosta Boulevard project (I-680 Southbound Gap Project), which passes through the community of Sunol and the Cities of Dublin and Pleasanton and which will construct a new 9-mile southbound express lane from SR 84 to Alcosta Boulevard. Collectively, the benefits of these express lanes include improved efficiency of the transportation system on southbound I-680 between SR 237 and Alcosta Boulevard, and on northbound I-680 between Auto Mall Parkway and SR 84, to accommodate the current and future traffic demand; improved travel time and travel reliability for all users, including HOV and transit users; and optimization of freeway system management and traffic operations. In addition, when the I-680 Southbound Gap Project is completed, it will close a gap in the southbound HOV/EL along I-680, by connecting the I-680 Sunol EL, operated by Alameda CTC, with the Bay Area Infrastructure Finance Authority's (BAIFA's) I-680 Express Lanes in Contra Costa County, resulting in a 48-mile long I-680 southbound express lane network from Marina Vista Boulevard in Martinez (in Contra Costa County) to SR 237 in Milpitas (in Santa Clara County).

In June 2021, Alameda CTC terminated the contract with the TSI originally contracted to design and deploy the toll system based on the TSI's failure to comply with contract requirements. In July 2021, Commission approved the Executive Director to execute an agreement with ETC to design and deploy an interim toll system for the I-680 Sunol EL Project. This interim toll system would initiate revenue collection and would allow the public to obtain the transportation benefits of express lanes. The interim system is expected to be in operation for two years, until the permanent toll system, for the I-680 Sunol Express Lane from Alcosta Boulevard to SR 237, replaces the interim toll system.

Once a new toll system has begun revenue services and completed all operational testing, ongoing operations and maintenance is necessary to ensure transaction and toll collection is being performed accurately, toll pricing and other messages are being displayed accurately, and all operations are in accordance with the agency's business rules. A TSI typically provides on-going O&M services for the life of the toll system because of the proprietary nature of the software coding involved in most aspects of the system.

Performance metrics associated with O&M services have been fully developed, including roadside maintenance, host software maintenance, and image review services, and these elements of the scope of work were included as optional tasks in the agreement. Staff recommends authorizing these O&M services for two years and associated additional budget such that O&M services can begin when the system enters the O&M phase by this winter.

Aside from O&M services authorization, the proposed amendment also modifies several system requirements in the implementation scope of work, to ensure the system will function according to business rules consistent with all Bay Area Express Lanes.

The total increase to the contract amount is $4.7 million, resulting in a not-to-exceed total amount of $10.1 million. A summary of all contract actions related to Agreement No. A22-0002 is provided in Table A.

**Table A: Summary of Agreement No. A22-0002**

| Contract Status | Work Description | Value | Total Contract Not-to-Exceed Value |
|---|---|---|---|
| Original Professional Services Agreement with ETC (A22-0002)<br>*Approved July 2021* | Toll System integration services for I-680 Sunol Interim toll system. | $4,500,000 | $4,500,000 |
| Amendment No. 1<br>*March 2022* | Provide additional budget to exercise optional task and implement new site under construction | $900,000 | $5,400,000 |
| Proposed Amendment No. 2<br>*September 2022 – (This Agenda Item)* | Amend system implementation requirements. Provide additional budget and 2-year time extension to authorize optional Operations and Maintenance phase services. | $4,677,028 | $10,077,028 |

**Levine Act Statement:** ETC did not report a conflict in accordance with the Levine Act.

**Fiscal Impact:** The fiscal impact of approving this item is $4.7 million. The action will encumber toll revenue funds to be used for subsequent expenditure. The associated expenditures for FY 2022-2023 were included in the adopted I-680 Express Lanes operations budget and future expenditures will be included in the future operations budgets adopted for subsequent fiscal years.

# Memorandum 6.9

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Gary Huisingh, Deputy Executive Director of Projects<br>Jhay Delos Reyes, Principal Transportation Engineer<br>Matthew Bomberg, Senior Transportation Engineer |
| **SUBJECT:** | East Bay Greenway Multimodal (from Lake Merritt BART to South Hayward BART) Project (Project Number 1587000) - Approve Amendment No. 8 to Agreement A15-0030 with HNTB Corporation for Project Approval & Environmental Document Services |

## Recommendation

It is recommended that the Commission approve the following action related to the East Bay Greenway (EBGW) (from Lake Merritt BART to South Hayward BART) Project (Project, Project Number 1587000):

1. Authorize the Executive Director to execute Amendment No. 8 to Professional Services Agreement A15-0030 with HNTB Corporation (HNTB) for an additional amount of $725,000 for a not-to-exceed amount of $5,673,570.00 and a time extension from 11/30/2022 to 12/31/2023.

## Summary

The Alameda County Transportation Commission (Alameda CTC) is the project sponsor and implementing agency for the East Bay Greenway (EBGW) project (from Lake Merritt BART to South Hayward BART), a 16-mile bicycle and pedestrian facility in the cities of Oakland, San Leandro and Hayward as well as the unincorporated communities of Ashland and Cherryland. The Project connects seven BART stations as well as downtown areas, schools, and other major destinations. The Commission approved a revised implementation strategy for the EBGW in December 2021 to focus on near-term delivery referred to as EBGW Multimodal that can be delivered in 3-5 years.

The EBGW Multimodal project seeks to provide an all ages and abilities, interjurisdictional active transportation facility generally following the BART/Union Pacific Railroad (UPRR) Oakland Subdivision corridor while avoiding any encroachment into UPRR right-of-way (ROW). The project alignment would run on-street, including utilizing nearby parallel streets when necessary and incorporating local active transportation projects to make needed connections. The project will generally consist of Class I shared use paths, Class IV protected

bike lanes, Class III neighborhood bikeways with traffic calming, pedestrian crossing enhancements, pedestrian accessibility improvements, traffic signal modifications, lighting upgrades, bus boarding islands, Transit Signal Priority, and placemaking elements, landscaping, and/or urban design features.

The recommended action would increase HNTB Corporation's contract not-to-exceed amount as shown in Table A of this report for additional preliminary engineering and environmental clearance services related to the development and pursuit of several funding opportunities coming in late 2022. The recommended action would also provide for a time extension to December 2023.

## Background

The EBGW is envisioned as a 37-mile-long regional trail connecting the northern cities of Alameda County to the southern cities. The project originated with a non-profit group, Urban Ecology, which envisioned a trail in the BART/Union Pacific Railroad Oakland Subdivision corridor from Oakland to Hayward. Upon passage of Measure BB in 2014, EBGW was included as one of three major trails in the Transportation Expenditure Plan and Alameda CTC led efforts for the portion from Lake Merritt BART to South Hayward BART in 2015. The Alameda CTC led work relative to the Urban Ecology concept concluded in 2018 with Alameda CTC adopting a CEQA IS/MND and Caltrans certifying a NEPA Categorical Exemption. Alameda CTC also advanced efforts to appraise UPRR land in 2019.

During project development through the right of way phase, several key risks were identified related to costs for land acquisition, timing of negotiations, removal of likely hazardous material, and ownership. In December 2021, the Commission provided staff with direction to identify a new alignment for the East Bay Greenway between Lake Merritt BART and South Hayward BART that avoids UPRR ROW and utilizes parallel streets where necessary.

Staff has been working with the local jurisdictions and transit operators along the project corridor to develop conceptual plans and conduct community engagement for EBGW Multimodal. Most recently, the San Leandro City Council adopted a resolution in support of the proposed Concept Plan in San Leandro on June 21, 2022. Outreach activities are currently underway in Oakland, Alameda County, and Hayward.

Several funding opportunities from regional, state and federal sources such as Active Transportation, Senate Bill1 Programs and the Bipartisan Infrastructure Law has required additional consultant resources to complete grant applications and grant coordination efforts with project agency partners and will continue through 2023 in order to close the funding shortfall. As a result of pursuing funding grants staff have identified a need to separate the environmental clearance of the project into a northern (Lake Merritt BART to Bay Fair BART) and southern (Bay Fair BART to South Hayward BART) section to meet project readiness requirements for grants while working within the local outreach and approval schedules of the different jurisdictions. In working the jurisdictions, previously scoped outreach has expanded activities to reach a much broader group of residences, business, community-based organizations and focus groups. Finally, due to the additional requirements of Senate Bill 288 for projects exceeding $100 million and ensuring the resulting construction contracting requirements remain flexible, staff have determined that preparing a Categorical Exemption (CE) under CEQA is the appropriate environmental clearance. The proposed amendment will provide for the needed technical study due diligence to ensure a CE in the southern section.

HNTB Corporation was selected by Alameda CTC to provide preliminary engineering and environmental services for the Project under a competitive selection process in 2015. Staff has negotiated the contract amendment amount with HNTB Corporation based on the level of effort anticipated to conduct the additional work scope. The proposed amendment is for a value of $725,000 for a contract total not-to-exceed amount of $5,673,570.00. Table A below summarizes the contract actions related to Agreement No. A15-0030.

**Table A: Summary of Agreement No. A15-0030**

| Contract Status | Work Description | Value | Total Contract Not-to-Exceed Value |
|---|---|---|---|
| Original Professional Services Agreement with HNTB Corporation<br>A15-0030<br>*October 2015* | PE/Env services for EBGW (Lake Merritt BART to South Hayward BART) | $4,198,570 | $ 4,198,570 |
| Amendment No. 1<br>*November 2017* | Update Contract Agreement Terms | $0 | $ 4,198,570 |
| Amendment No. 2<br>*January 2019* | Time Extension from 12/31/2018 to 12/31/2019 | $ 0 | $ 4,198,570 |
| Amendment No. 3<br>*February 2020* | Time Extension from 12/31/2019 to 12/31/2020 | $ 0 | $ 4,198,570 |
| Amendment No. 4<br>*June 2020* | Update Contract Agreement Terms | $0 | $ 4,198,570 |
| Amendment No. 5<br>*December 2020* | Time Extension from 12/31/2020 to 9/30/2021 | $ 0 | $ 4,198,570 |
| Amendment No. 6<br>*September 2021* | Time Extension from 9/30/2021 to 11/30/2022 | $ 0 | $ 4,198,570 |
| Amendment No. 7<br>*December 2021* | Provide additional budget to advance Commission-approved alternative approach for design | $750,000 | $4,948,570 |

| | | | |
|---|---|---|---|
| Amendment No. 8<br>*September 2022*<br><br>(THIS ITEM) | Provide additional budget for Project Approval & Environmental Document Services project and time extension to 12/30/2023 | $725,000 | $5,673,570 |
| **Total Amended Contract Not-to-Exceed Amount** | | | $5,673,570.00 |

**Levine Act Statement:** The HNTB Team did not report a conflict in accordance with the Levine Act.

**Fiscal Impact:** The project will increase the HNTB Corporation contract by $725,000 in previously allocated Measure BB funds. This amount is included in the project's funding plan and Alameda CTC's adopted FY 2022-2023 budget.

**Attachment:**

A. Project Fact Sheet

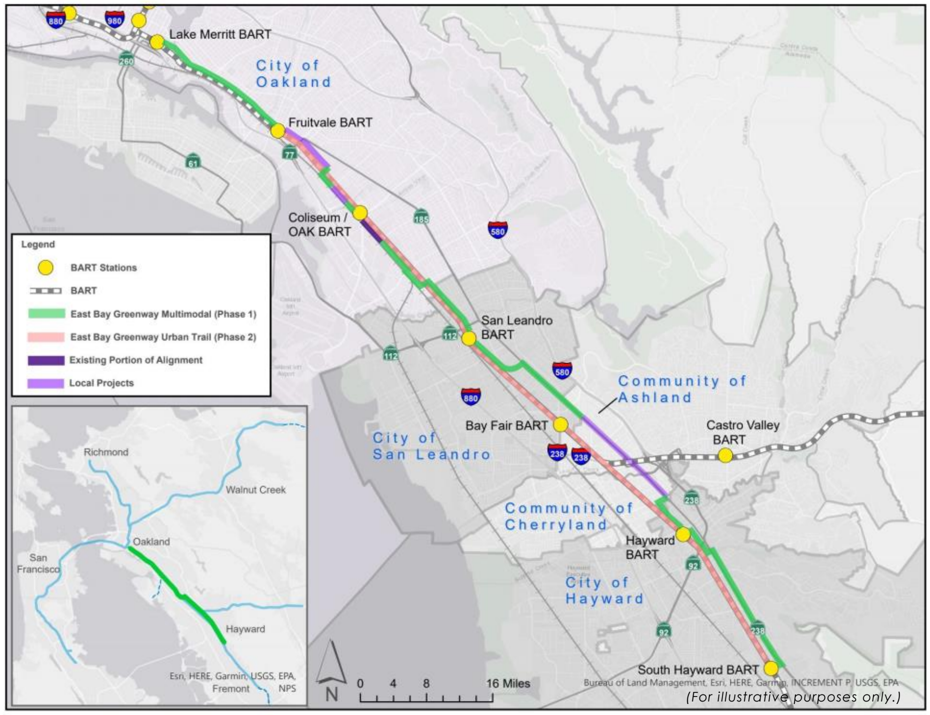
# East Bay Greenway Multimodal, (Phase 1)

JULY 2022

## PROJECT OVERVIEW

The Alameda County Transportation Commission (Alameda CTC) is the implementing agency for the East Bay Greenway (EBGW) project that proposes to construct a 16-mile long active transportation facility along major arterials that connects seven BART stations from the Lake Merritt BART station in Oakland to the South Hayward BART station. The project will construct Class I and Class IV bike facilities; evaluate transit enhancements, such as transit islands and traffic signal priority; safety enhancements, such as traffic calming measures through narrow lanes and placemaking amenities and landscaping; signal upgrades for bicyclists, protected intersections; and pedestrian crossing enhancements with high visibility crosswalks and bulb-outs that meet Americans with Disabilities Act requirements.

EBGW, Phase 1 focuses on getting near-term improvements in construction in a three to five-year horizon. EBGW, Phase 2 will continue to work with the Union Pacific Railroad to implement a Rails-to-Trail or Rails-with-Trail facility in a 10+ year horizon.




## PROJECT NEED

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

## PROJECT BENEFITS

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

## STATUS

**Implementing Agency**: Alameda CTC

**Current Phase:** Preliminary Engineering/Environmental

Initial East Bay Greenway segment from Coliseum BART to 85th Avenue (funded by Measure WW, TIGER and BAAQMD).

Rendering of East Bay Greenway.

## PROJECT DOCUMENTS

**For more information on the project, please visit:**
www.alamedactc.org/eastbaygreenway.

## PARTNERS AND STAKEHOLDERS

Cities of Oakland, San Leandro and Hayward, Alameda County, AC Transit, Bay Area Rapid Transit and the California Department of Transportation

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

| | |
|---|---|
| PE/Environmental | $2,350 |
| Final Design | $12,400 |
| Construction | $159,500 |
| **Total Phase 1 Expenditures** | **$174,250** |

## FUNDING SOURCES ($ X 1,000)

| | |
|---|---|
| Local | $14,750 |
| TBD | $159,500 |
| **Total Phase 1 Revenues** | **$174,250** |

## SCHEDULE BY PHASE

| | Begin | End |
|---|---|---|
| Environmental | Fall 2021 | Summer 2023 |
| Final Design (PS&E) | Fall 2022 | Early 2024 |
| Construction | Summer 2024 | Fall 2026 |

Rendering of East Bay Greenway.

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

# Memorandum 6.10

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Gary Huisingh, Deputy Executive Director of Projects<br>Wajahat Nyaz, Project Delivery Manager |
| **SUBJECT:** | Approve Contract Amendment No. 1 to Professional Services Agreement A22-0067 with Mark Thomas & Company, Inc. for On-Call Support Services and Grant Writing Assistance for the I-880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway West) Project |

## Recommendation

It is recommended that the Commission approve Contract Amendment No.1 to Professional Services Agreement A22-0067 with Mark Thomas & Company, Inc. for an additional amount of $1,000,000 for a total not-to-exceed amount of $12,021,204 to provide professional services for on-call support services during the Plans, Specifications and Estimate (PS&E) and Right of Way phases for the I-880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway West) Project (PN: 1453000), and for grant writing support services.

## Summary

Alameda CTC is the project sponsor and implementing agency of the Project in partnership with the California Department of Transportation (Caltrans) and the Cities of Hayward and Union City. Caltrans is the lead agency for the environmental document. The Project is comprised of two named projects in the 2014 Transportation Expenditure Plan (TEP) I-880 Whipple Road/Industrial Parkway Southwest Interchange Improvements (TEP-38; $60 M) and I-880 Industrial Parkway Interchange Improvements (TEP-39; $44 M) with a total commitment of $104 M.

Improvements are proposed to the interchanges along I-880 at Whipple Road/Industrial Parkway SW and Industrial Parkway West, including ramp modifications, replacement of the overcrossing structure at Industrial Parkway, and local street improvements to enhance safety, provide new shared pedestrian/bicycle paths across the interchanges and most importantly to relieve freeway and local road congestion and to improve goods movement in

the industrial areas of Hayward and Union City. This industrial area has the largest industrial inventory, and highest concentration of warehousing jobs in Alameda County.

The Project is currently completing the Project Approval and Environmental Document (PA&ED) phase and is concurrently initiating the PS&E and Right of Way phases to expedite project delivery. Alameda CTC and Mark Thomas & Company, Inc. entered into a Professional Services Agreement A22-0067 on May 26, 2022, for a not-to-exceed amount of $11,021,204 to complete PS&E and Right-of-Way Engineering phases.

The Project is not fully funded for the construction phase and will be seeking funding from competitive State and Federal programs (grants) to fill the funding gap, including applying for SB1 Trade Corridor Enhancement Program (TCEP) Cycle 3 funding this year.

Amendment No. 1 to Professional Services Agreement A22-0067 with Mark Thomas & Company, Inc. will provide the additional budget for on-call support services, including preparing grant applications as well as other anticipated on-call services that may arise during the PS&E and Right of Way Engineering phases for the Project, including but not limited to items such as potential additional design work required from Caltrans, Federal Highway Administration (FHWA), and City requirements, design changes resulting from negotiations with the property owners and utility owners, extended right of way negotiations and additional environmental studies that may come to light during the PS&E development.

This amendment can be funded from Alameda CTC Measure BB funds. Mark Thomas & Company, Inc. is a Local Business Enterprise (LBE).

## Background

The project area is one of the largest warehousing areas in Alameda County and the I-880 Whipple Road/Industrial Parkway SW interchange currently exceeds capacity. Congestion occurs on a daily basis during both the morning and afternoon commute hours, and traffic is forecasted to increase up to 15 percent by 2045. Congestion is compounded by the lack of a northbound off-ramp at the adjacent I-880/Industrial Parkway West interchange. As such, northbound traffic wishing to access Industrial Parkway and the City's primary industrial areas must exit at Whipple/Industrial Parkway SW and access Industrial Parkway West through local streets. Improvements are needed at both interchanges to address current and future congestion on I-880 and local roads and to improve goods movement to/from the Industrial Technology and Innovation (ITI) Corridor in Hayward and access to other industrial areas in Hayward and Union City as well as to improve bicycle/pedestrian connectivity across the interchange and connecting to local bike/pedestrian routes.

Since the proposed infrastructure improvements are on a designated Trade Corridor (I-880) of regional significance and due to the high volume of freight movement in the industrial areas of Hayward and Union City, this Project is a strong candidate for SB1 TCEP funding. Alameda CTC is planning to apply for SB1 TCEP, Cycle 3, funding in November 2022.

Alameda CTC, working with Caltrans and the Cities of Hayward and Union City, initiated the PA&ED phase in 2018, and PA&ED is anticipated to be completed in October 2022. Alameda

CTC and Mark Thomas & Company, Inc. entered into a Professional Services Agreement A22-0067 on May 26, 2022, to initiate the PS&E and Right-of-Way Engineering phases.

Amendment No. 1 to Professional Services Agreement A22-0067 with Mark Thomas & Company, Inc. will provide the budget for on-call support services for issues that may arise during the PS&E and Right-of-Way Engineering phases of this Project. The on-call support services budget will fund additional support services required by Alameda CTC, including preparing the SB1 TCEP application and other grant applications with the requisite analysis needed for these applications. The on-call service will also fund additional design work required from Caltrans, Federal Highway Administration (FHWA), and City requirements, design changes resulting from negotiations with the property owners and utility owners, extended right of way negotiations and additional environmental studies that may come to light during the PS&E development.

This Project is in the 2014 Transportation Expenditure Plan (TEP-38 and 39) with a total commitment of $104 M. The committed funds fully fund all phases of the Project except construction. Alameda CTC intends to fill the gap in construction funding by seeking competitive State and Federal grants. There are sufficient local funds in the construction phase to meet the match requirements for competitive grants.

**Levine Act Statement:** Mark Thomas & Company, Inc. and its subconsultants did not report a conflict in accordance with the Levine Act.

**Fiscal Impact:** The fiscal impact of approving Amendment No.1 to Professional Services Agreement A22-0067 with Mark Thomas & Company, Inc. is $1,000,000. This amount is included in the project PS&E phase on-call contingency and adopted FY2022-2023 Capital Program Budget.

**Attachment:**

A. Project Fact Sheet

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# Interstate 880 Interchange Improvements (Whipple Road/Industrial Parkway Southwest and Industrial Parkway West)

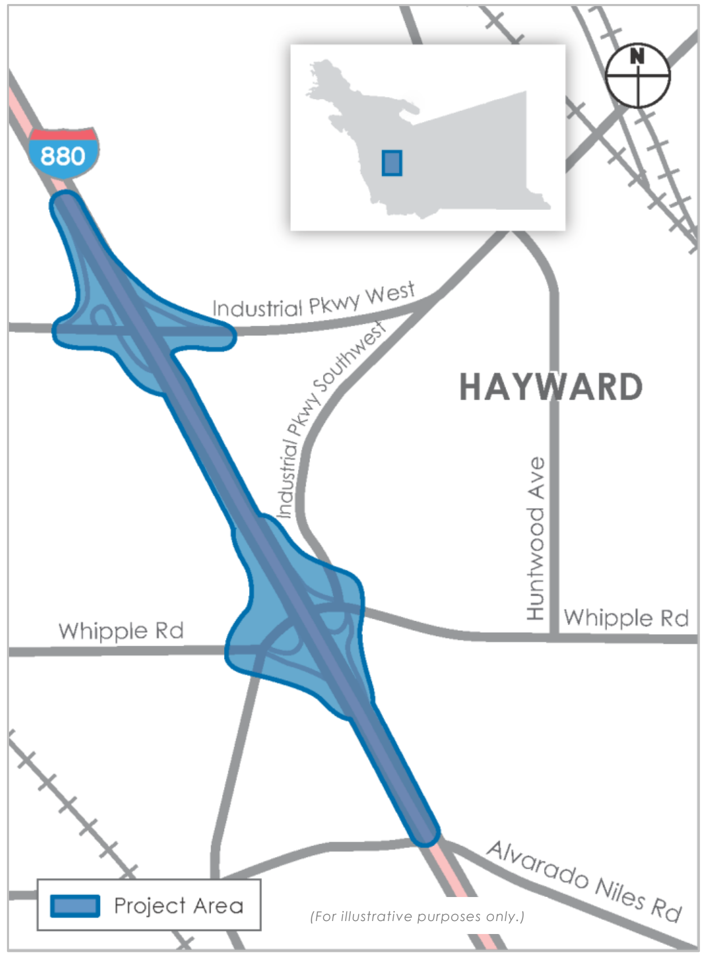
MAY 2022

## PROJECT OVERVIEW

The Alameda County Transportation Commission (Alameda CTC), in cooperation with the California Department of Transportation (Caltrans), will implement full interchange improvements at the Interstate 880 (I-880)/Whipple Road interchange and Industrial Parkway West interchange, including:

- A northbound off-ramp to Industrial Parkway West
- A southbound high occupancy vehicle (HOV) bypass lane on the southbound loop off-ramp
- Bridge reconstruction over I-880
- Surface street improvements and realignment

Due to their close proximity, improvements at both interchanges are being developed as a single project.




## PROJECT NEED

- I-880/Whipple Road ramp intersections currently operate at or over capacity, with a few movements experiencing high delay during a.m. and p.m. peak hours.
- Observed queues for the northbound off-ramp approach at Whipple Road occasionally extend to the mainline.
- The Whipple Road–Industrial Parkway South West interchange was identified by the cities of Union City and Hayward as needing bicycle and pedestrian improvements to enhance the connectivity between the east and west sides of I-880.
- There is no designated bicycle facility along Whipple Road or Industrial Parkway at I-880, and the sidewalk along the north side of Whipple Road is narrow.
- The pavement condition of Whipple Road within the Caltrans right-of-way is degraded and is in need of major rehabilitation.

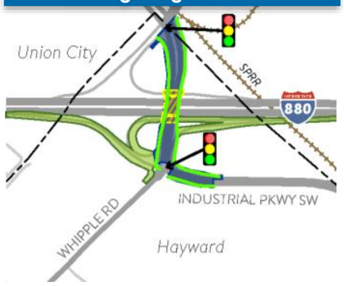
## PROJECT BENEFITS

- Improves freeway access and enhances goods movement along the I-880 corridor
- Relieves freeway and interchange congestion
- Enhances safety
- Improves local business access along Whipple Road
- Improves bicycle and pedestrian access across the I-880 freeway
- Improves transit access to and from the I-880 freeway
- Enhances goods movement along the I-880 Corridor, part of the National Primary Freight Network, and to major industrial and warehousing areas

## DESIGN ALTERNATIVES

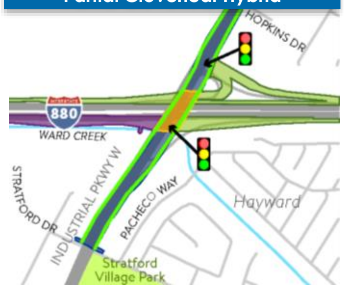
**WHIPPLE ROAD INTERCHANGE**

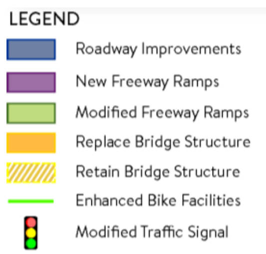
**Design Variation – Retain Existing Bridge Structure**




**INDUSTRIAL PARKWAY SW INTERCHANGE**

**Tight Diamond/ Partial Cloverleaf Hybrid**




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

| | |
|---|---|
| Planning/Scoping | $921 |
| PE/Environmental | $5,025 |
| Final Design (PS&E) | $15,550 |
| Right-of-Way | $30,000 |
| Construction | $168,504 |
| **Total Expenditures** | **$220,000** |

## FUNDING SOURCES ($ x 1,000)

| | |
|---|---|
| Measure BB | $104,000 |
| Federal | TBD |
| State | $50 |
| Local | TBD |
| TBD | $115,950 |
| **Total Revenues** | **$220,000** |

Note: Measure BB funding is subject to future Commission approval.

## STATUS

**Implementing Agency**: Alameda CTC

**Current Phase:** Preliminary Engineering/Environmental (PE/Environmental)

- Feasibility Study was completed in May 2016.
- Project Study Report-Project Development Support(PSR-PDS) was completed in August 2018.
- Draft Environmental Document was released for public review in January 2021 and a virtual public meeting was held in February 2021.
- Final Environmental Document and Project Report Approval is anticipated in summer 2022.

## SCHEDULE BY PHASE

| | Begin | End |
|---|---|---|
| Scoping | Fall 2017 | Summer 2018 |
| PE/Environmental | Summer 2018 | Summer 2022 |
| Final Design | Summer 2022 | Fall 2024 |
| Right-of-Way | Summer 2022 | Fall 2024 |
| Construction | 2025 | 2028 |

Note: Project schedule subsequent to the preliminary engineering/ environmental phase is contingent on funding availability for future phases.

## PARTNERS AND STAKEHOLDERS

Caltrans, Alameda CTC, and the cities of Hayward and Union City

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

ALAMEDA County Transportation Commission

# Memorandum 6.11

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Chris G. Marks, Senior Transportation Planner<br>Shannon McCarthy, 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 has not submitted comments on any new environmental documents since the last update on July 1, 2022.

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

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# Memorandum 6.12

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| | |
|---|---|
| **DATE**: | September 15, 2022 |
| **TO**: | Alameda County Transportation Commission |
| **FROM:** | Carolyn Clevenger, Deputy Executive Director of Planning and Policy<br>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.

## 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

On August 16, 2022 the President signed the reconciliation bill known as the Inflation Reduction Act of 2022. The sweeping legislation includes major investments in climate change, clean energy and transportation. It also includes prescription drug reform, tax reform, and includes $4 billion for drought relief to help Western states.

The bill includes the largest climate investment in the nation's history. The bill will help reduce carbon emissions and accelerate the transition to clean energy. It also includes investments to bolster resiliency, improve air quality, and promote environmental justice.  This includes tax credits and renewable energy tax incentives for next-generation technologies. Attachment B from the Senate Committee on

Environmental and Public Works details how $35.5 billion will be spent on those efforts. Staff will monitor new programs and opportunities as details are provided.

### State Update

The 2022 legislative session is the second year of a two-year session. The legislature returned to Sacramento in August for final actions on bills. August 31st is the last day for each house to pass bills, and the Governor then has until September 30th to sign or veto bills.

Since the July 2022 Commission meeting, Alameda CTC sent an oppose position letter on one bill, AB 1951, consistent with our legislative program. AB 1951 converts the current state General Fund-only sales and use tax exemption for the purchase of manufacturing equipment into a full exemption, which would impact Measure BB revenues. Given the time constraints of the legislative calendar, Alameda CTC took an oppose position on the bill as authorized by our legislative program. AB 1951 would reduce sales tax revenue and undermine voter approved funding priorities by exempting manufacturing equipment from local sales tax revenue. The 2022 legislative program notes the Commission shall protect and enhance voter-approved funding, and advocate for increased transportation funding and seek to leverage local funds to the maximum extent possible to implement transportation improvements in Alameda County. AB 1951 compromises Alameda CTC's ability to generate and reliably forecast revenues to fund transportation projects and programs.

During the 2022 legislative session, the Commission has taken positions on the following bills:

**Table 1. Commission adopted positions**

| Bill Number | Bill Information | Commision Position | Status |
|---|---|---|---|
| **AB 1944** **(Lee, Garcia)** | This bill would specify the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The bill would also require all open and public meetings of a | **Support** | Held in Senate Governance and Finance as of 8/23/22. |

| | | | |
|---|---|---|---|
| | 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. As amended, AB 1944 would require starting January 1, 2024, that at least a quorum of members must participate from a single location that is open to the public. | | |
| **AB 2336** **(Friedman)** | This bill would authorize until January 1, 2028, the Cities of Los Angeles, Oakland, San Jose, and the City and County of San Francisco, Glendale, and Palm Springs to establish the Speed Safety System Pilot Program if the system meets specified requirements. | **Support and seek amendments** to allow all interested jurisdictions in Alameda County to participate in the pilot program as well as to respond to equity concerns relating to camera distribution, privacy, and fees. | Held under suspense as of 8/23/22. |
| **SB 922** **(Weiner)** Environmental Streamlining for Sustainable Transportation | This bill expands the application of the California Environmental Quality Act (CEQA) exemptions for various transit and transportation-related projects and sunsets | **Support** | Enrolled and presented to the Governor as of 8/23/22. |

| | | | |
|---|---|---|---|
| | those exemptions on January 1, 2030.<br><br>This includes pedestrian and bicycle projects that improve safety, access or mobility, as well as active transportation plans. It also expands and details the definition of "transit prioritization projects". | | |
| **AB 1909** **(Friedman)**<br><br>Bike Omnibus bill | This bill includes a number of items related to reducing restrictions on bicycle operations. It would: remove the state prohibition of electric bicycles on bike paths, trails and similar facilities but retain local authority to prohibit such activity and authorize the Department of Parks and Rec. to prohibit the operation of an electric bicycle within the department's jurisdiction; allow bicyclists to follow leading pedestrian intervals at intersections; require that a vehicle shall not overtake or pass a bicycle proceeding in the same direction on a highway at a distance of less than three feet between any part of the motor vehicle and any part of | **Support** | Senate Amendments concurred in. To engrossing and enrolling as of 8/23/22. |

| | | | |
|---|---|---|---|
| | the bicycle or its operator. The driver of a motor vehicle overtaking or passing a bicycle that is proceeding in the same direction and in the same lane, shall make a lane change into another lane with regard of safety conditions before overtaking or passing a bicycle; and eliminate local authority to require bicycle registration. | | |
| AB 2147 **(Ting/Friedman)** Reduces law enforcement stops and citations for Jaywalking | This bill would prohibit a peace officer, as defined, from stopping a pedestrian for specified traffic infractions unless a reasonably careful person would realize there is an immediate danger of collision with a moving vehicle or other device moving exclusively by human power. | **Support** | Ordered to third reading in the Senate as of 8/23/22. |
| AB 1713 **(Boerner Horvath)** Vehicles: required stops: bicycles | Permits a person who is 18 years of age or older riding a bicycle approaching a stop sign on a two-lane road with stop signs at all intersections to yield the right of way until reasonably safe to proceed. The bill would impose a | **Support** | Ordered to a third reading in the Senate as of 8/23/22. |

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| | warning citation for a first violation by a person who is under 18 years of age and fails to stop when approaching a stop sign at the entrance of an intersection. | | |
| **AB 2097** **(Friedman)** | Prohibits public agencies from imposing or enforcing a minimum automobile parking requirement for residential, commercial and other developments if the parcel is located within one-half mile walking distance of either of the following:<br>a) A high-quality transit corridor, as defined.<br>b) A major transit stop, as defined. | **Support** | Ordered to a third reading in the Senate as of 8/23/22. |
| **SB 1121** **(Gonzalez)** | This bill requires the California Transportation Commission (CTC) to biennially develop a needs assessment of the cost to operate, maintain, and provide for the future growth and resiliency of the state and local transportation system. | **Support** | Ordered to a third reading in the Assembly as of 8/23/22. |
| **AB 2237** **(Friedman)** | Existing law requires each regional transportation planning agency to | **Oppose unless Amended** | Held in Senate Transportation as of 8/23/22. |

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| | adopt and submit a 5-year regional transportation improvement program. This bill would require that those projects and programs included in each regional transportation improvement program be consistent with the most recently prepared sustainable communities' strategy of the regional transportation planning agency or county transportation commission.<br><br>This bill would prohibit funds collected from local transportation tax measures from being spent until the transportation projects are included in the most recently adopted sustainable communities strategy.<br><br>By imposing additional requirements on local government, this bill would impose a state-mandated local program. This bill would prohibit state funds from being used for a project that increases single-occupancy vehicle capacity, unless the project is included in a sustainable communities strategy or alternative | The author has made some amendments to the bill thus far. However, active discussions continue with stakeholders to provide more clarity regarding the state's goals and influence over local tax measures. Additional amendments are expected and staff will provide updates.<br><br>While Alameda CTC is firmly committed to climate goals and the visions laid out in state plans, AB 2237 as drafted represents a significant overreach of the state that directly impacts regional and county transportation agency authority. It would impose constraints on how we strategically fund and advance projects based on a variety of state documents and elevates climate considerations above all other | |

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| | planning strategy that will not increase greenhouse gases.<br><br>This bill would provide for reimbursements for state mandates. | goals and priorities.<br><br>The Self-Help Counties Coalition, the California Association of Councils of Governments, the League of California Cities, and MTC have taken Oppose or Oppose Unless Amended positions on the bill. | |
| AB 455 **(Wicks)** | This bill was introduced last session, by then Assemblymember Rob Bonta, and was updated earlier this month. The bill is focused on improving transit performance on the Bay Bridge corridor. The bill as currently amended would require Caltrans, in consultation with MTC, BATA, transit operators and local transit agencies to establish speed and reliability performance targets no later than July 1, 2024 for buses traveling in the east and westbound directions through the Bay Bridge corridor. Caltrans would then, | **Support**<br><br>In 2021, Alameda CTC took a support and seek amendments position, with amendments focused on also considering streamlining project development to advance transit priority projects. Currently, environmental streamlining efforts are focused on SB 922 (Weiner), which Alameda CTC has a support position on. Staff recommends updating our position based on | Held under submission in Senate Appropriations. as of 08/23/22. |

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| | in consultation with the partner agencies, by December 2024, develop a strategy to achieve the performance targets and a timeframe for implementation. | the revised proposed language. | |
| **AB 1951** | This bill converts the current state General Fund-only sales and use tax exemption for the purchase of manufacturing equipment into a full exemption and would impact Measure BB revenues. | **Oppose** | Senate referred to a third reading as of 8/23/22. |

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

**Attachments:**

A. Alameda CTC 2022 Legislative Program
B. U.S. Senate Environment and Public Works Committee Summary

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## 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.

U.S. SENATE COMMITTEE ON
ENVIRONMENT & PUBLIC WORKS
CHAIRMAN TOM CARPER

# Climate and Equity Investments in the Jurisdiction of the Environment and Public Works Committee (EPW) in the Inflation Reduction Act

The EPW title of the Inflation Reduction Act invests more than $35.5 billion to address climate change and equity issues within the jurisdiction of the EPW Committee, including the following investments:

## *Environmental Protection Agency*

***Methane Emissions Reduction Program***
This new program provides up to $1.55 billion to EPA to issue loans, rebates, contracts, and grants to help the oil and gas sector reduce methane emissions from petroleum and natural gas systems and directs EPA to place a modest charge on methane emissions. Methane is a primary component of natural gas and a highly potent greenhouse gas – more than 25 times as potent as carbon dioxide. A federal methane emissions reduction program will help clean up methane emissions, provide for better energy security and help the climate. The industry incentives provided in this program start as of the date of enactment. Beginning in 2025, this program would implement a charge on the prior-year tons of methane emissions from oil and natural gas systems reported to the EPA Greenhouse Gas Registry that exceed industry-specific thresholds, determined by the amount of the natural gas or oil sent to sale. The charge is imposed only on emissions above set thresholds, and any emissions due to delays in obtaining gathering line and transmission infrastructure environmental permits to capture methane emissions are exempt from paying the fee. Additional flexibilities for industry are included. This section also requires EPA to update the Greenhouse Gas Registry. Resources for the Future found that this policy could achieve substantial emissions reductions at near zero costs to consumers.

***Greenhouse Gas Reduction Fund***

This program will unlock meaningful climate investments and advance environmental justice by providing $27 billion for a Greenhouse Gas Reduction Fund. Funding will help nonprofits, states and other institutions use federal dollars to leverage private investments in projects that combat climate change. At least sixty percent of this money will help provide clean energy financing in low-income and disadvantaged communities, communities that often struggle to find financing for clean energy and energy efficiency projects. Funding is technology neutral and will help all Americans, especially those in low-income and disadvantaged communities, save money on energy costs.

***Climate Pollution Plans and Implementation Grants***

This program will encourage an all-of-government approach to addressing climate change. The program provides $5 billion in competitive grants to states, territories, DC, tribes, and municipalities to develop and implement greenhouse gas emissions reductions plans that make sense for their communities. Those that design programs, policies, and measures to reduce emissions will be eligible for grant funding to help them carry out their plans. This is similar to the approach Congress took for the transportation sector in the Bipartisan Infrastructure Law and is a technology-neutral approach.

***Environmental and Climate Justice Block Grants***

Provides $3 billion in competitive 3-year grants to states, tribes and municipalities and a community-based nonprofit organization for financial and technical assistance to address clean air and climate pollution in disadvantaged communities. These grants build upon EPA's current environmental justice grants. They can be used flexibly to fund several climate and air quality priorities, such as replacing old wood heaters in homes, and will result in cost savings for rural and tribal communities.

***Cleaner Ports***

Provides $3 billion in investment to help reduce air pollution and carbon emissions at and surrounding our nation's ports. Most of our nation's ports continue to use antiquated diesel technology that pollutes our air, harms our planet, and is not fuel efficient. By making investments in cleaner ports, we make our ports more energy independent and less reliant on foreign fuels, while also cleaning up the air in surrounding communities.

***Cleaner Medium and Heavy Duty Vehicles***

The largest single source of greenhouse gas emissions in the U.S. economy is our cars, trucks, and other vehicles. This program invests $1 billion in investment to help cover the incremental costs of replacing dirty medium and heavy-duty vehicles with zero-emitting vehicles, technology that is readily available and made in America. As we know from experience with diesel retrofit programs, taking heavy duty dirty diesel engines off the road reduces air and climate pollution and reduces fuel consumption, allowing businesses that run those trucks to save significantly on energy costs.

***Environmental Product Information Program***

This program provides $250 million to support the development and enhanced standardization and transparency of environmental product declaration for construction materials and products. As we look to rebuild our nation's infrastructure, we should be using products that can withstand a changing climate and are produced in the cleanest way possible. Lucky for us, American-made construction materials are often made with the cleanest processes in the world. This program will help our nation's companies show the world that indeed, the U.S. makes the cleanest materials anywhere.

### *Diesel Emissions Reduction Act (DERA)*

Provides $60 million in DERA funding, a bipartisan program, specifically to help low-income and disadvantaged communities living near places that are exposed to a large amount of diesel emissions from the movement of goods, such as railyards, airports and distribution centers. Dirty diesel is not only a health hazard, but also a problem for our climate. Cleaning up dirty diesel not only cleans up the air, but also saves on fuel consumption. According to the last EPA report to Congress, over 454 million gallons of fuel was saved through the DERA program from 2008-2016.

### *Efficient Environmental Reviews*

Provides an additional $40 million to EPA to address staff and resource shortages in order to improve efficiency in environmental reviews.

### *Clean Air and Climate Grants*

Provides an additional $476 million in funding for grants to update our aging air pollution monitoring network, such as investments in new monitoring systems to better detect air toxics. The grants will also help schools, states and businesses address clean air and climate pollution and invest in cleaner fuels and technologies, such as support for the reclamation and destruction of the climate super pollutant hydrofluorocarbons (HFCs).

## *General Services Administration (GSA)*

### *Green Federal Buildings*

Provides $250 million to the GSA for the greening of federal buildings. This program could be used to improve indoor environmental quality, including reducing indoor pollution; reducing negative impacts on the environment throughout the life-cycle of the building, including air and water pollution and waste generation; and increasing the use of environmentally preferable products, including bio-based, recycled content, and nontoxic products with lower life-cycle impact.

### *Use of Low Carbon Materials and Emerging Technology*

Provides $3.125 billion for GSA to acquire and install low-embodied carbon materials and products when upgrading old buildings or building new facilities, as well as invest in emerging and sustainable technologies. This will allow the federal government to lower its carbon footprint and improve its sustainability.

## *Transportation*

### *Low-Carbon Transportation Construction Materials*

This program provides $2 billion to support domestic manufacturing and deployment of low-carbon and carbon-sequestering construction materials for use on Federal highway projects.

### *DOT Neighborhood Access and Equity Grants*

This program provides $3 billion for grants to state and local entities to improve multimodal transportation access and to mitigate pollution from transportation facilities.

### *Efficient Environmental Reviews*

Provides $100 million to facilitate efficient environmental reviews and approvals of federally funded highway projects.

## *Council on Environmental Quality (CEQ)*

### *EJ Mapping*

Provides $33 million to collect data and track disproportionate burdens of pollution and climate change on environmental justice communities.

### *Efficient Environmental Reviews*

Provides $30 million to address staff and resource shortages at CEQ in order to improve efficiency in environmental review.

## *Fish and Wildlife Service (FWS)*

***Wildlife Recovery and Habitat Restoration***

Provides $250 million for wildlife recovery and to rebuild and restore units of the National Wildlife Refuge System and state wildlife management areas. Restored habitat will mitigate the impacts of climate-induced weather events and increase resiliency, benefitting wildlife and surrounding communities.

# Memorandum

6.13

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

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|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Colin Dentel-Post, Principal Transportation Planner<br>Chris G. Marks, Senior Transportation Planner |
| **SUBJECT:** | Countywide Bikeways Network: Design Guidance and Implementation Update |

## Recommendation

It is recommended that the Commission receive an update on the Countywide Bikeways Network design guidance and an implementation strategy.

## Summary

In May 2022, the Commission approved an over 400-mile Countywide Bikeways Network, the first element of the Countywide Bikeways initiative that was first presented to the Commission at the March 2022 Commission retreat. The network is a connected system of bikeway corridors of countywide significance that will be used to prioritize resources (staffing, funding, and advocacy), guide planning and inform project development. One of the goals of the network is to advance high-quality, safe and comfortable bikeways to expand active transportation options and reduce emissions. A key next step is to define “high-quality” and articulate design guidelines or standards for future improvements to the network.

To inform this next phase of work, staff has conducted a thorough review of available design guidance and held best practices discussions with peer agencies throughout North America to determine an appropriate standard for Alameda County and cultivate implementation tools already successful elsewhere. Those discussions yielded three key findings:

- Clear and ambitious policy directives establish expectations and empower staff to focus on technical solutions and navigate trade-offs.
- A single design guidance resource creates consistency and helps staff quickly identify solutions for common design issues.
- Local success builds on itself over time.

Alameda CTC shared those key findings with local jurisdiction and agency staffs through both a Technical Advisory Committee as well as individual meetings with jurisdictions to identify

the following recommended approach to establish design guidance, set quality expectations, and facilitate implementation:

- Commission adopts a strong policy statement, such as an All Ages and Abilities Standard, clarifying expectations for high-quality and safe facilities on the Countywide Bikeways Network and for the use of discretionary funds.
- Alameda CTC develops a single design resource, compiled from existing guidance, bolstered with focused issue-specific white papers to fill gaps in existing guidance and identify solutions for challenges specific to Alameda County.
- Alameda CTC hosts a series of trainings and workshops for staff and elected officials to facilitate learning between jurisdictions, at all levels and build capacity and support for safety improvements and high-quality bikeways.

Final recommendations are expected to come to the Commission for consideration and adoption in late 2022.

## Background

In late 2021, Alameda CTC launched the Countywide Bikeways initiative. The first major step was adoption of the Countywide Bikeways Network, which occurred in May 2022. The approved Countywide Bikeways Network was built off recently approved planning efforts, including the 2019 Countywide Active Transportation Plan (CATP) and the 2020 Countywide Transportation Plan (CTP), and defines a vision for a connected, safe, and comfortable network of bikeway corridors of countywide significance. This effort is also consistent with federal, state, regional and local transportation priorities focused on improving safety and providing active transportation options to reduce emissions and improve mobility. There are also a number of federal, state, and regional funding opportunities that emphasize transformative active transportation projects.

At the inception of this effort, staff worked with cities to establish a set of key principles to guide all phases of network planning. These principles were presented to the Commission in May 2022. These are derived from the goals of the CATP and CTP and are as follows:

| Principle | CTP Goals | CATP Goals |
|---|---|---|
| **Safe and Comfortable** – The network prioritizes improvements on or near high-injury corridors and maximizes separation and comfort. | ▪ Safe, Healthy, and Sustainable<br>▪ High-quality and Modern Infrastructure<br>▪ Accessible, Affordable, and Equitable | ▪ Safety |
| **Equitable** – The network provides efficient and affordable travel and access to equity priority communities. | ▪ Accessible, Affordable, and Equitable | ▪ Impactful Investment |

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| **Continuous and Connected** – The network provides access across major barriers to create a network of continuous long-distance multijurisdictional bikeways throughout Alameda County. It prioritizes high quality connections to activity centers and high-frequency transit. | ▪ Accessible, Affordable, and Equitable | ▪ Multimodal Connectivity |
| **High-quality** – On-street bikeways are assumed to be comfortable and high-quality and consistent with established guidelines. Separated paths are for the shared-use of people walking and biking. | ▪ High-quality and Modern Infrastructure | ▪ Safety<br>▪ Encouragement |
| **Visionary** – The network includes specific identified facilities in some locations and corridors requiring further planning in others. CCCs include some feasible near-term projects and others that require a long-term development process. | ▪ High-quality and Modern Infrastructure | ▪ Impactful Investment<br>▪ Encouragement |

### Design Guidance Best Practices and Needs

The 400-mile network of conceptual corridors included in the Countywide Bikeways Network establishes an equitable, continuous and connected network. The next step is to explicitly define a standard for high-quality bikeways. This second phase of work will define the quality of the network to ensure comfort and safety for bicyclists. To initiate the process, staff conducted a best practice review of agencies elsewhere and worked with agencies in Alameda County to understand current design decision practices, lessons learned, and how Alameda CTC can support delivery of high-quality bikeways.

Staff first conducted a review of jurisdictions that have developed and used their own bikeway design guidance and held best practices discussions with three of them: the cities of Portland, Oregon and Vancouver, British Columbia and the Massachusetts Department of Transportation. Each of these jurisdictions provided details on design guidance development and insights into their legacy of safe and comfortable bikeway facility delivery. Findings included:

- Clear and ambitious policy directives can be very impactful and provide a universal starting point. In each case, the jurisdiction launched their efforts to advance safe and comfortable bikeway networks with visionary policy direction. The policy direction enabled agency staff to focus on technical solutions to issues while following the overall policy framework. In all cases, robust outreach and justification of the technical merits of projects are still required.

- No design guidance can be fully comprehensive of all possible issues and cannot replace the need for project-level design decisions. However, clear policy direction helps staff navigate design trade-offs efficiently and prioritize active transportation safety and multimodal mobility goals.

- Local success builds on itself. Local examples, especially high-quality and high-profile projects, have been far more persuasive for hesitant stakeholders than international examples. Most jurisdictions noted that a phased approach in which quick-build treatments were applied to claim space for bikeways, then hardened with more expensive retrofit projects has also been helpful to assuage concerns. Strong parallel routes have also been used to show demand on high-demand corridors with limited right-of-way.

- A single design resource helps build staff knowledge and capacity and can create consistency in design, as well as advise on common challenges to speed up the design and development process. However, there are not one-size fits all solutions and technical guidance does not replace all project-level decisions and trade-offs.

After completing a best practices review, Alameda CTC conducted a series of individual discussions with city staff and transit agencies to identify specific obstacles to the development of high-quality bikeways in Alameda County. Staff from each city also completed a survey to evaluate the current state of policy guidance, design standards, and topics where additional clarity and support is most needed. Findings from that outreach included:

- Excellent design guidance is readily available and commonly used by most city staff and consultants to design bikeways and apply safety treatments on both high-volume arterials and collectors as well as low-volume bicycle boulevards.
- Common topics where additional technical guidance or training is needed include: curbside management and loading accommodation, accessibility needs, carrying protection through intersections, quick build treatments, and phasing retrofits.
- Common challenges to implementing high-quality bikeways include: staff capacity, concerns about parking loss, and funding.
- Nearly all cities indicated that either local or external policy direction has been helpful to advance safety improvements and high-quality bikeways. Local, or nearby, examples of successful projects are similarly persuasive.
- Most jurisdictions could use additional clarity on how and when to engage transit operators when designing bikeways to minimize conflicts between modes and preserve transit operations and performance.

### Design Guidance Proposed Approach

Based on the review of best practices and input from local agencies within Alameda County, Alameda CTC has developed a proposed approach with three recommendations to define a “high-quality” standard for the Countywide Bikeways Network and provide guidance that supports local jurisdictions in implementing it.

- **Recommendation 1:** The Commission would adopt a strong policy statement with an All Ages and Abilities Standard to clarify expectations for high-quality, comfortable and safe facilities on the Countywide Bikeways Network. The All Ages and Abilities Standard would provide context-sensitive design standards for bicycle facilities that consider project corridor characteristics such as traffic volumes, traffic speeds, and operational considerations like frequent bus service.

The Metropolitan Transportation Commission already requires an All Ages and Abilities Standard, as defined by National Association of City Transportation Officials in its Contextual Guidance for Selecting All Ages & Abilities Bikeways in order for projects on the regional Active Transportation Network to quality for regional discretionary funding or support. Strong policy statements have been the basis of work in all best practices samples and would help cities in Alameda County with decision-making which prioritizes safety and comfort. Where similar local policies already exist, these have been one of the most valuable strategies to advance high-quality bikeways.

- **Recommendation 2:** Alameda CTC will compile a single design resource clearinghouse using existing guidance already available and readily applied by many local jurisdictions, and supported with issue-specific guidance to fill gaps, as well as example project stories to highlight the effects of protected bikeway treatments, such as on safety and local economic development.

This single resource can support the implementation of the All Ages and Abilities Standard and would create more consistency in bikeway design throughout Alameda County, especially if paired with a set of topical white papers aimed at guidance or process gaps. Specific topics would be prioritized based on local agency feedback and could include: coordination with transit operators, how to apply guidance with planned road diets, treatments at intersections, and approaches to phasing implementation. As part of that toolbox of design resources, Alameda CTC would also compile existing local project examples which exemplify the benefits of safety-focused improvements and can be used by other jurisdictions to ameliorate local concerns. Staff would put special emphasis on selecting projects within all types of street and land use contexts.

- **Recommendation 3:** Alameda CTC would lead a series of trainings for both local agency staff and Commissioners, in the coming year.

These would focus on technical topics for staff and provide opportunities for information exchange and education for Commissioners on the benefits of safety enhancement projects.

### Next Steps

Based on feedback from the Commission, staff will continue to work with partner agencies and stakeholders to refine the proposed approach. Staff will conduct additional outreach in conjunction with that work. Alameda CTC anticipates completing this effort and seeking Commission approval for a policy statement and the guidance and implementation next steps, including a compilation of existing resources, in late 2022. Development of additional resources, including topical design guidance and trainings, would follow in 2023.

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

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# Memorandum 6.14

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| | |
|---|---|
| **DATE**: | September 15, 2022 |
| **TO**: | Alameda County Transportation Commission |
| **FROM:** | Denise Turner, Associate Program Analyst / Program Coordinator |
| **SUBJECT**: | Approve Release of a Request for Proposals (RFP) for the Alameda County Safe Routes to Schools Program |

## Recommendation

It is recommended that the Commission approve the release of two Request for Proposals (RFP) for Professional Services for the Alameda County Safe Routes to Schools Program and authorize the Executive Director or designee to negotiate with the top ranked firms.

1. Alameda County Safe Routes to Schools Program: Student Safety Training, Assessments, and Program Evaluation Services; and
2. Alameda County Safe Routes to Schools Program: Education, Communications, and Outreach Services

## Summary

The Alameda County Transportation Commission (Alameda CTC) contracts on a periodic basis with a number of professional services consultant firms to assist staff in providing a range of services, including, but not limited to, general counsel, media and public relations, outreach, technical assistance, and project and program management. The Alameda County Safe Routes to Schools Program (SR2S) similarly relies on professional services consultant firms to carry out various programmatic activities of the agency. The three current SR2S contracts are due to expire at the end of fiscal year (FY) 2022-2023. Staff is recommending consolidating the program into two contracts to improve program management efficiency. The two RFPs are proposed for release now to ensure the uninterrupted continuation of professional services support for the SR2S into FY 2023-24 and beyond.

It is recommended that the Commission approve the release of two RFPs for Professional Services to provide SR2S Professional Services and authorize the Executive Director, or designee, to negotiate with the top-ranked firms.

## Background

Alameda County's SR2S program is a countywide program that promotes and encourages safe walking, bicycling, carpooling, and riding transit to school. The program has been in operation for 16 years. The SR2S program is funded by Federal Congestion Mitigation and Air Quality and Surface Transportation Program funds through the One Bay Area Grant program, Transportation funds for Clean Air, and local funds as matching funds to the federal dollars. In May 2022, the Commission approved recommended One Bay Area Grant 3 funding in an amount of $8.9 million for consultant support and staffing costs for the SR2S Program for FYs 2023-24 through 2025-26 operations, and the required local match. Commission action is contingent on MTC's approval of the OBAG 3 program and funding will be limited to the amount approved under the OBAG 3 program.

The program has reached 274 of the approximately 330 eligible public schools including public charter schools in Alameda County (83%). The SR2S program includes county-wide encouragement events as well as direct safety training, School Safety Assessments, and educational outreach. The high-profile events include:

- **International Walk and Roll to School Day:** (October) This worldwide celebration encourages students, families and the school community to walk, bicycle, take transit, or use other non-motorized transportation to get to school. The goal of this day is to raise awareness and support for the health, community and environmental benefits of regularly walking or biking to school. Each school year, Alameda County students join thousands around the nation and the world in early October for this great celebration.

- **Creation for Transportation:** (November - February) The SR2S programs high school winter event launched "This is How We Do It: The Share Your Journey Contest". The event celebrates student leadership through peer to peer mentoring on sustainable transportation choices for active transportation options to school. The intent of this event is for students to encourage each other to participate in the SR2S program, skills tranings, and increase active transportation use amongst high school students.

- **Golden Sneaker Contest:** (March) The week long contest is a classroom challenge that encourages students, parents, teachers and administrators to take active and shared transportation. Students and teachers keep track of their travel to school with a simple tally chart or virtual tracker. Each class with the highest percentages receives golden shoelaces and their schools coveted golden sneaker trophy to display. The county-wide winning school is honored during an Alameda CTC Commission meeting with the platinum sneaker award for the year.

- **Bike to the Moon Week:** (May) In celebration of bike month in May, this week-long event encourages students, families and the school community to track their active mode physical activities, which are converted into "moon miles." Through imaginative play, participants collectively travel the 286,900 miles to the moon.

### Professional Services Contracts

In order to ensure comprehensive and efficient implementation of the SR2S program, Alameda CTC will deliver the SR2S program under two separate professional services contracts. The successful proposers of the resulting two contracts are expected to work together as directed by Alameda CTC on certain tasks to fulfill the SR2S program needs. Each contract will include independent performance measures. In order to ensure efficient program implementation, coordination amongst Consultants under these resulting contracts will be required and facilitated by Alameda CTC staff. Each contract will be reviewed annually both mid-calendar year and at the end of each fiscal year. Contract scopes of work may be adjusted and amended based on information obtained during the annual performance evaluation review cycles for both contracts.

### Contract 1. SR2S: Student Safety Training, Assessments, and Program Evaluation Services RFP.

The selected Consultant under this RFP will undertake activities that focus on direct student safety trainings, under the direction of Alameda CTC staff. including events that teach:

- Pedestrian Safety Training
- Bicycle Safety Training
- Mobile Bike Maintenance and Repair Trainings
- School Assembly Safety Trainings

The Consultant will perform engaging activities that instill lessons about safe walking, bicycling, and transit use as clean and active travel modes to and from school.

The Consultant selected under this RFP will also undertake engineering technical assistance, known as School Safety Assessments (SSA), to observe and review existing school access conditions and infrastructure with local stakeholders and recommend safety countermeasures to increase safe multimodal access to the school. The SSAs are meant to be completed at a level of quality and detail so that local partners can use them as a basis for grant applications; consultant will also track SSA implementation. The service provider will collect data, develop maps, develop a robust program evaluation framework, and conduct annual program evaluation that will sustain the program’s process of continuous improvement.

The professional services contract scope will focus on four main work areas:

1. Program Management and Coordination
2. School Safety Assessments
3. Program Evaluation
4. Direct Student Safety Training (DSST)

**Contract 2. SR2S: Education, Communications, and Outreach Services.**

The Consultant selected for this RFP will lead overall outreach efforts for the program with students, parents, school staff, school districts and SR2S Task Force groups as well as community stakeholders, organizations, and jurisdictions to recruit, retain, and sustain volunteer and various partnerships. This Consultant will support the marketing plan and communication strategies for the program to increase awareness, and monitor public inquiries to ensure responsive engagement. The Consultant will implement county-wide encouragement events, and facilitate educational trainings and activities to support ongoing programming to integrate SR2S program activities into school policies, curriculum and event calendars. It will also help facilitate the travel training program for high school students and support ongoing walking school buses and bike train experiences for students.

The professional services contract scope of will focus on five main work areas:

1. Program Management and Coordination
2. Data Collection and Reporting
3. Site Coordination at Participating Schools for Engagement, Recruitment and Retention
4. County-wide Encouragement Event Planning and Implementation
5. Comprehensive Marketing and Communications Strategy Development, Implementation, and Analytics

It is recommended that the Commission approve the release of two RFP for Professional Services to provide SR2S program implementation and authorize the Executive Director, or designee, to negotiate with the top-ranked firms.

**Fiscal Impact:** The two SR2S program Professional Services contracts will be negotiated and the final budget will be included in Alameda CTC's annual proposed budget for fiscal year 2023-24 for Commission approval. Commission action is contingent on MTC's approval of the OBAG 3 program and funding will be limited to the amount approved under the OBAG 3 program.

# Memorandum 8.1

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

| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Carolyn Clevenger, Deputy Executive Director of Planning and Policy<br>Kristen Villanueva, Principal Transportation Planner |
| **SUBJECT:** | Approve the Alameda CTC Equity Statement |

## Recommendation

It is recommended that the Commission approve an Alameda CTC equity statement. The equity statement was discussed extensively with the Commission's Justice, Equity, Diversity and Inclusion (JEDI) Ad-Hoc Committee.

## Summary

At the March 30, 2022 Alameda CTC Commission Retreat, Commission Chair Bauters announced the creation of the JEDI Ad Hoc Committee. The JEDI Committee is tasked to ensure that all of the Commission's initiatives are developed through the lens of justice, equity, diversity and inclusion. The JEDI Ad Hoc Committee is focused on developing specific deliverables to further advance equity throughout the agency, including the development of an Alameda CTC equity statement. Members of the JEDI Ad Hoc Committee include Chair Bauters, Vice Chair Ortiz, and Commissioners Robinson, Thao, and Valle.

The agency equity statement is the first deliverable of the equity initiative, kicked off in 2021 and further defined at the Commission's March 2022 retreat. Staff received initial input on the equity statement from JEDI in April and refined those with the JEDI Ad Hoc Committee in July. The draft equity statement recommended by the JEDI Ad Hoc Committee is:

*Alameda CTC recognizes inequities in marginalized communities and is committed to advancing racial, socio-economic, and environmental justice in order to maintain the diversity of our communities. Alameda CTC adopts and implements deliberate policies, systems and actions to deliver transportation funding, projects and programs that result in more equitable opportunities and positive outcomes for marginalized communities.*

The Race and Equity Action Plan (REAP) is an action plan that fulfills this commitment.

## Background

Equity is a foundational element of Alameda CTC's work and is prioritized throughout our planning, funding and delivery of transportation projects and programs. At the Commission Retreat, equity was one of the key areas of focus, including in particular a keynote address focused on equity and a staff presentation on equity initiatives underway at Alameda CTC. As part of the next steps and actions identified at the retreat, the JEDI Ad Hoc Committee was formed to explore how Alameda CTC can more deeply infuse equity into the agency's work, including the development of an agency equity statement.

In 2021, Alameda CTC embarked on an equity research initiative to identify ways the agency can use equity as a platform for recovery from the COVID-19 pandemic and integrate equity throughout the agency's work program. The Equity Research Initiative explored best practices and identified actions to move this research forward in the agency's projects, programs and plans. A high-level summary of this work was presented at the March 30, 2022 Alameda CTC Commission Retreat. The JEDI Ad Hoc Committee is focused on developing specific deliverables to further expand institutionalization of equity throughout the agency that results in measurable outcomes. The key deliverables the committee will work towards are:

- **Alameda CTC Equity Statement** to explicitly state our commitment to equity and define what equity means to Alameda CTC. This will be informed by best practices research, demographic analysis of the county to both better define what is meant by the term "equity" and how the agency is committed to centering our work on equity.
- **Race and Equity Action Plan** (REAP) to outline concrete actions that agency leadership and staff can take to advance race and equity in their respective departments, operations, programs, and policies.
- Agency-wide **Inclusive Engagement Guide** to delineate goals, objectives, and desired outcomes with respect to equitable engagement across all agency-led projects and plans.
- **Annual Equity Report** to annually report back to the Commission and the public on progress toward implementing the recommendations of the JEDI Ad Hoc Committee. The format and details will be the focus of discussions towards the end of the year.

## Defining Equity in Alameda County

One of the key findings from the equity initiative research is that there are several different technical methods for defining disadvantaged communities for use in projects, plans, and programs, with an increasing focus on public health. Peer agencies are using a variety of demographic factors and thresholds to help define who these populations are, and where marginalized communities reside. Common indicators include low-income, minority, linguistic isolation and educational attainment.

Alameda CTC currently uses MTC's Equity Priority Community (EPC) framework to identify disadvantaged communities. EPCs are census tracts that have a significant concentration of underserved populations, such as households with low incomes and people of color. A combination of additional factors helps define these areas.[1]

However, there are other definitions which could be used. Staff developed a series of materials to provide additional context to inform the JEDI Committee's discussions on equity. Attachment A includes six maps which show different definitions of disadvantage and illustrate that in certain areas, various definitions result in emphasizing different geographies, and that certain populations qualify as "disadvantaged" regardless of which definition is used. Also included in Attachment A is an analysis conducted for the 2016 Countywide Transportation Plan that shows which historically-disadvantaged demographic groups face statistically significant disparities in transportation outcomes.

By identifying which Alameda County communities are or have been historically underserved, as well as which are disproportionately impacted by socioeconomic, public health and/or climate change impacts, Alameda CTC can better direct funding, projects, planning and programming to enable equitable opportunities and outcomes for all in Alameda County. Being clear on what equity means in Alameda County is a critical companion to adopting an equity statement and acting on Alameda CTC's equity commitments.

### Equity Statement Approach

Adopting a clear statement of commitment to advancing racial, socioeconomic, and environmental justice is a key component of further institutionalizing equity for Alameda CTC. Alameda CTC's draft equity statements seek to explicitly delineate a commitment to equity for an agency that plans, funds, and delivers projects and programs. Development of draft equity statements was informed by best practices research, demographic analysis, input from JEDI committee members, input from Alameda CTC staff and the agency's Culture & Engagement Committee.

The draft Alameda CTC equity statement seeks to succinctly accomplish the following: 1) recognize the existence of inequity and disadvantage, 2) state a clear commitment to do what is in our power to repair past and current harms, 3) state a positive vision of an equitable outcome to work towards.

### Draft Equity Statement

*Alameda CTC recognizes inequities in marginalized communities and is committed to advancing racial, socio-economic, and environmental justice in order to maintain the diversity of our communities. Alameda CTC adopts and implements deliberate policies, systems and actions to deliver transportation funding, projects and programs that result in more equitable opportunities and positive outcomes for marginalized communities.*

[1] Per MTC, Equity Priority Communities (tract geography) dataset is based upon eight demographic variables: 1. People of Color (70% threshold) 2. Low-income (28% threshold) 3. Limited English Proficiency (12% threshold) 4. Seniors 75 Years and Over (8% threshold) 5. Zero-Vehicle Households (15% threshold) 6. Single Parent Families (18% threshold) 7. People with a Disability (12% threshold) 8. Rent-Burdened Households (14% threshold).

The Race and Equity Action Plan (REAP) is an action plan that fulfills this commitment and will include definition of terms in the equity statement.

**Next Steps**

Throughout the end of the year, staff will work with the JEDI Ad Hoc Committee to finalize a draft REAP for consideration by the full Commission. Public engagement, including surveys and listening sessions, will be conducted over the next six months to inform the REAP as well as the Inclusive Engagement Guide, with the goal of finalizing this first phase of key equity deliverables in early 2023.

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

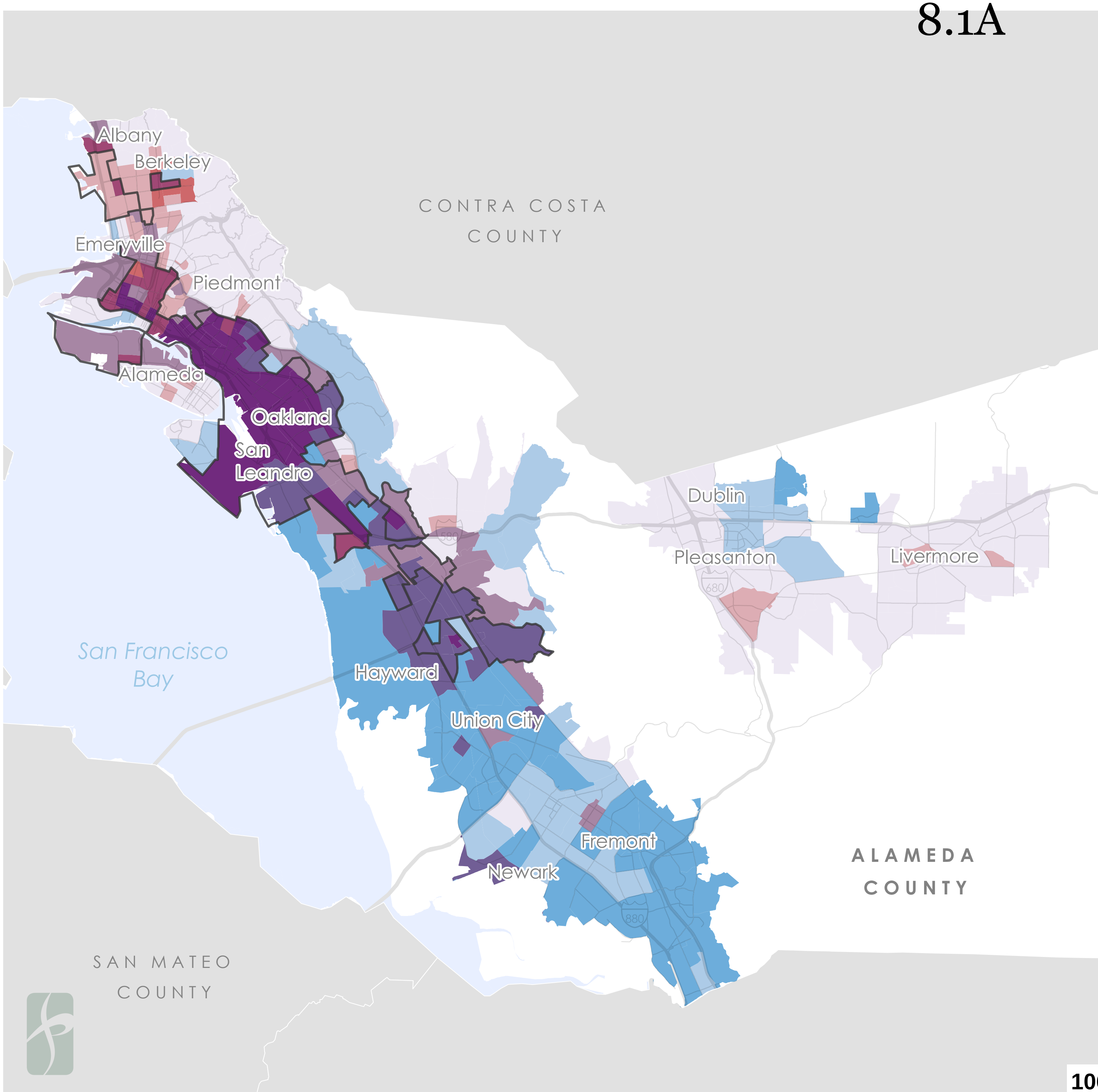
**Attachment:**

A. Alameda County Equity Maps

# LOW-INCOME AND PEOPLE OF COLOR IN ALAMEDA COUNTY

% People of Color
>80%
<60%
<20%
>40%
% Low-income

Equity Priority Communities




Note: The MTC defines low-income population as persons living in a household with incomes less than 200% of the federal poverty level established by the Census Bureau.

Source: ACS 5-year Survey (2018); Plan Bay Area, 2050.

0 1.75 3.5 7 Miles

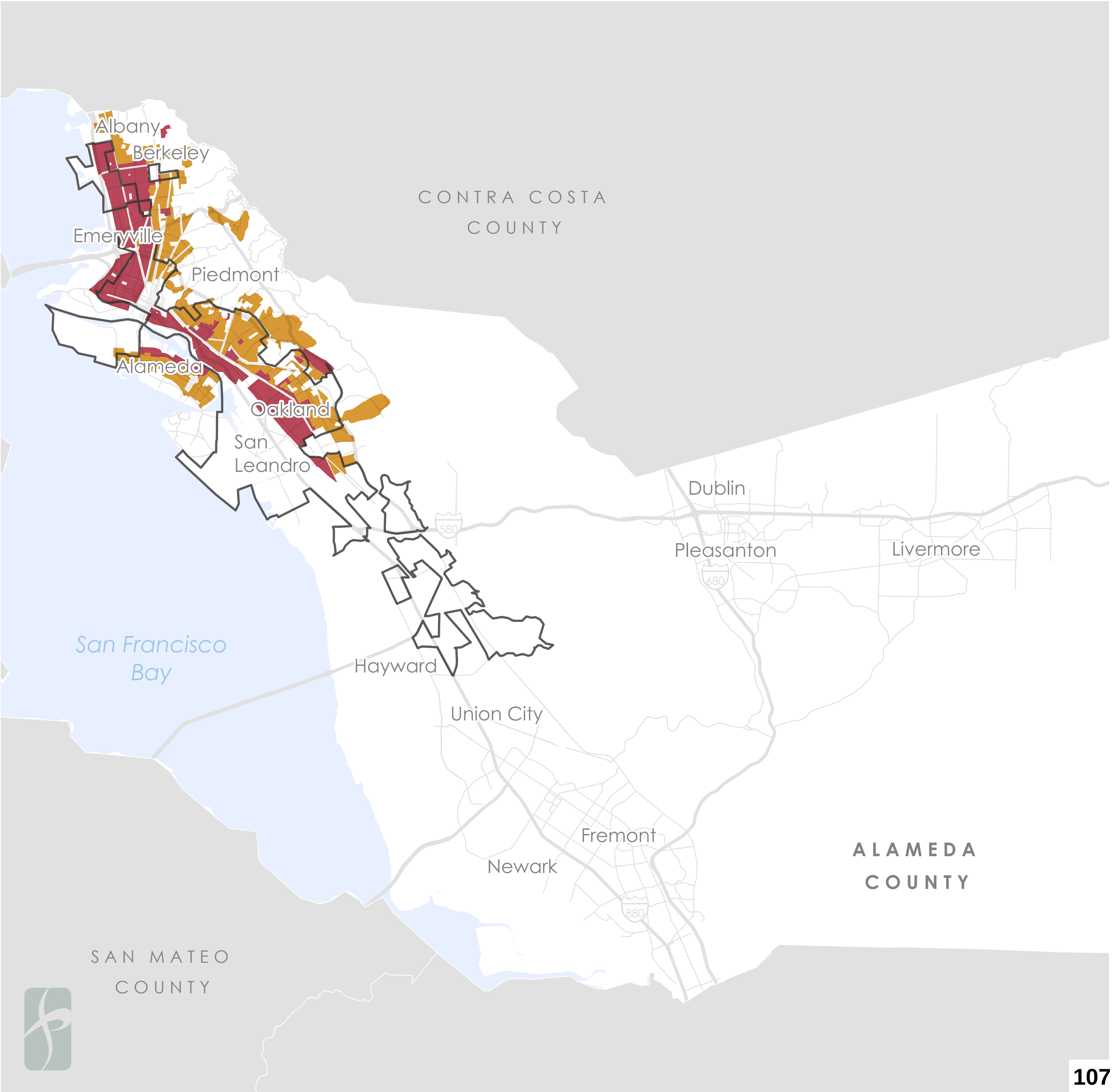
# HISTORICAL REDLINING IN ALAMEDA COUNTY

Historically Redlined

C - "Definitely Declining"*

D - "Hazardous"*

Equity Priority Communities



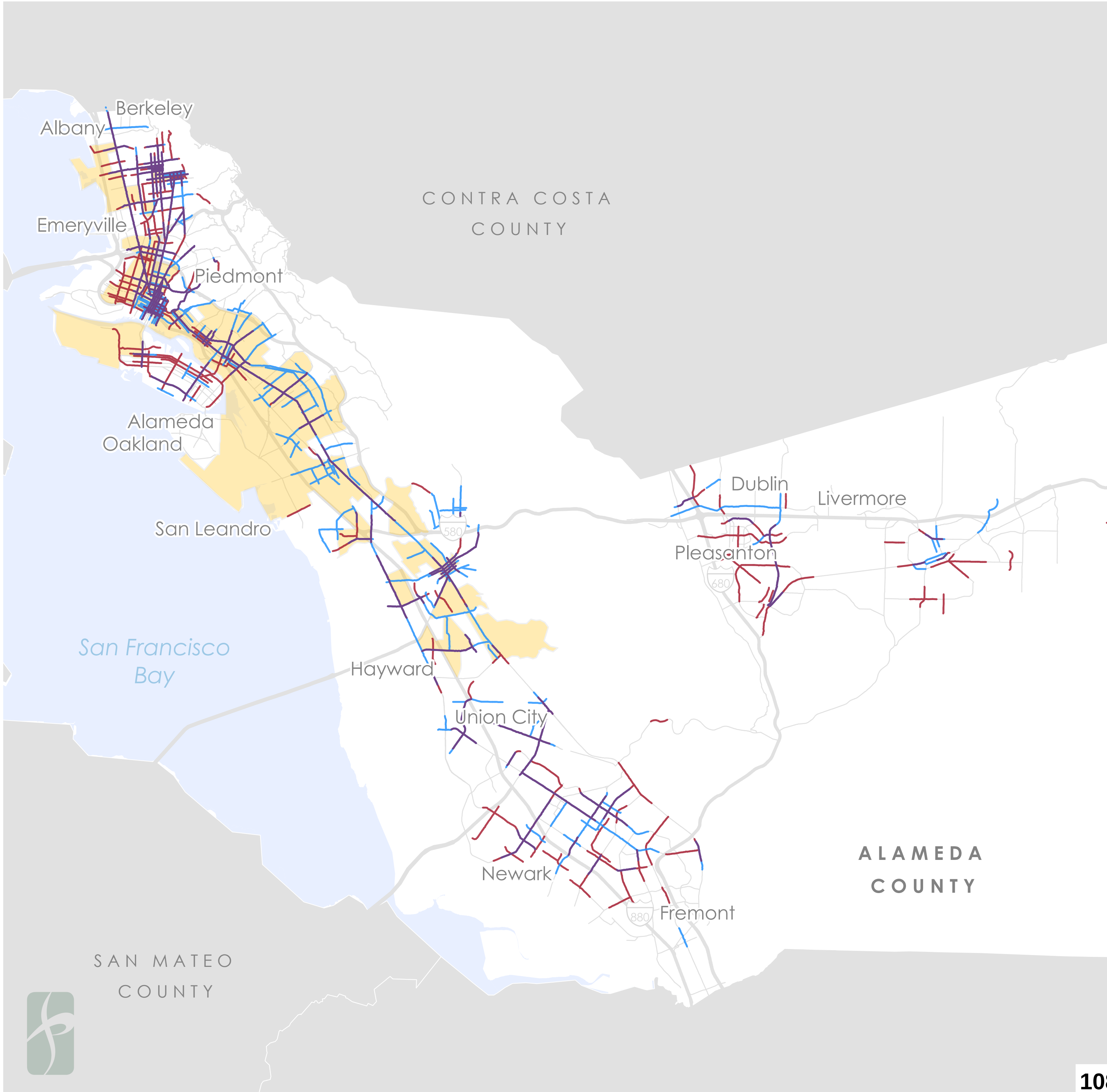

*"Definitely Declining" and "Hazardous" are historical terms used by real estate professionals in the 1930s and 1940s to categorize neighborhoods by their "mortgage security." Neighborhoods receiving the highest grade of "A" were colored green and were deemed minimal risks for banks and other mortgage lenders when they were determining who should receive loans and which areas in the city were safe investments. Neighborhoods that were given a "B" rating were color-coded blue and considered "good for lenders" and "still desirable," neighborhoods that were given a "C" rating were color-coded yellow, considered in decline. Those receiving the lowest grade of "D," colored red, were considered "hazardous."

Source: Mapping Inequality; Plan Bay Area, 2050.

0 1.75 3.5 7 Miles

# TRANSPORTATION SAFETY IN ALAMEDA COUNTY

- Bicycle High Injury Network
- Pedestrian High Injury Network
- Pedestrian + Bike High Injury Network
- Equity Priority Communities




Note:
56% of the Pedestrian HIN and 65% of the Bicycle HIN lies within an EPC.

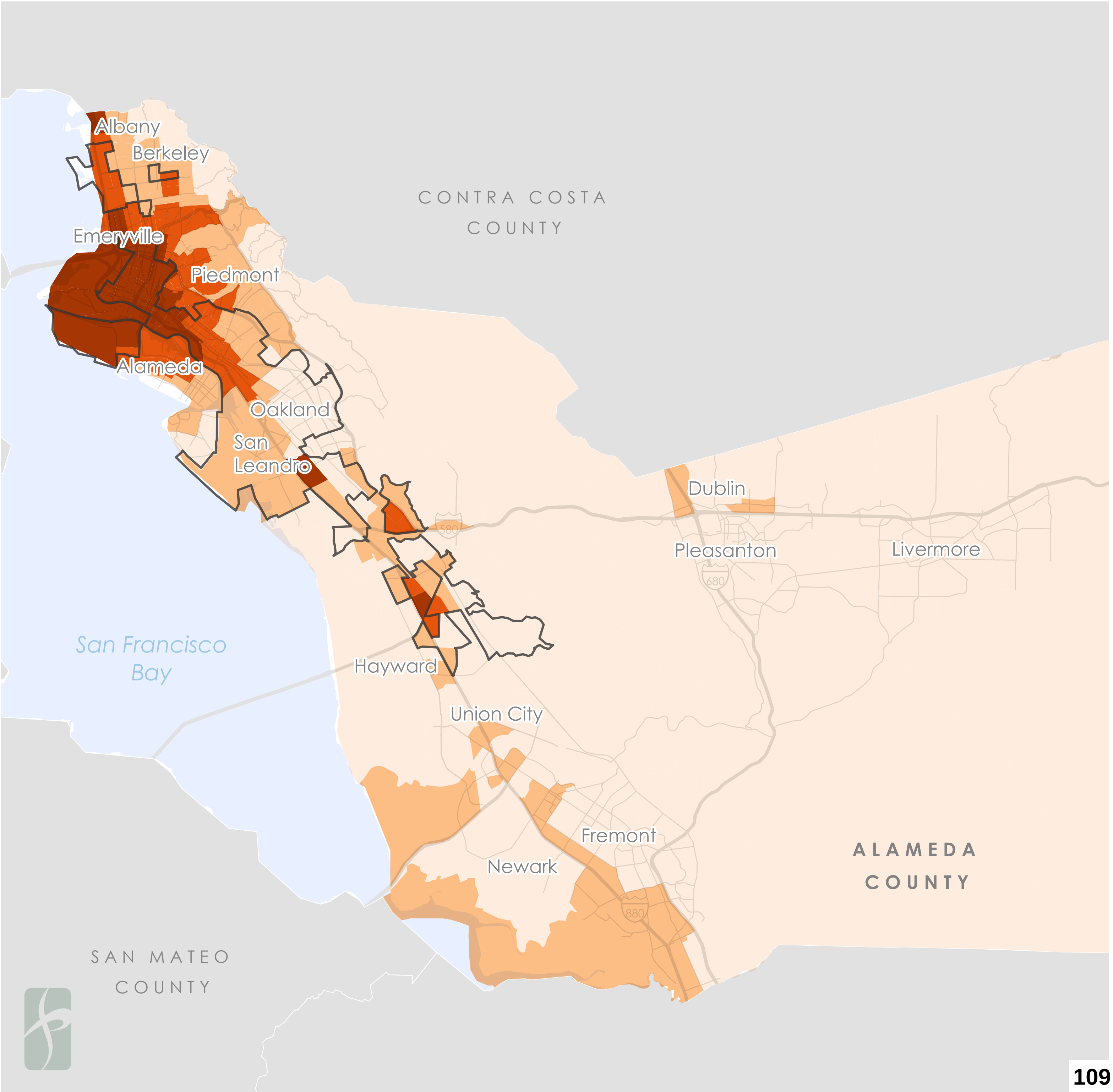
Source: Alameda CTC; Plan Bay Area, 2050.

0 1.75 3.5 7 Miles

# TRANSPORTATION EMISSIONS IN ALAMEDA COUNTY

Particulate Matter Emissions

- 50th Percentile or lower
- 50th - 75th Percentile
- 75th - 90th Percentile
- 90th Percentile or higher
- Equity Priority Communities




Note:
Emissions Index is based on PM2.5 and Diesel PM Emissions.

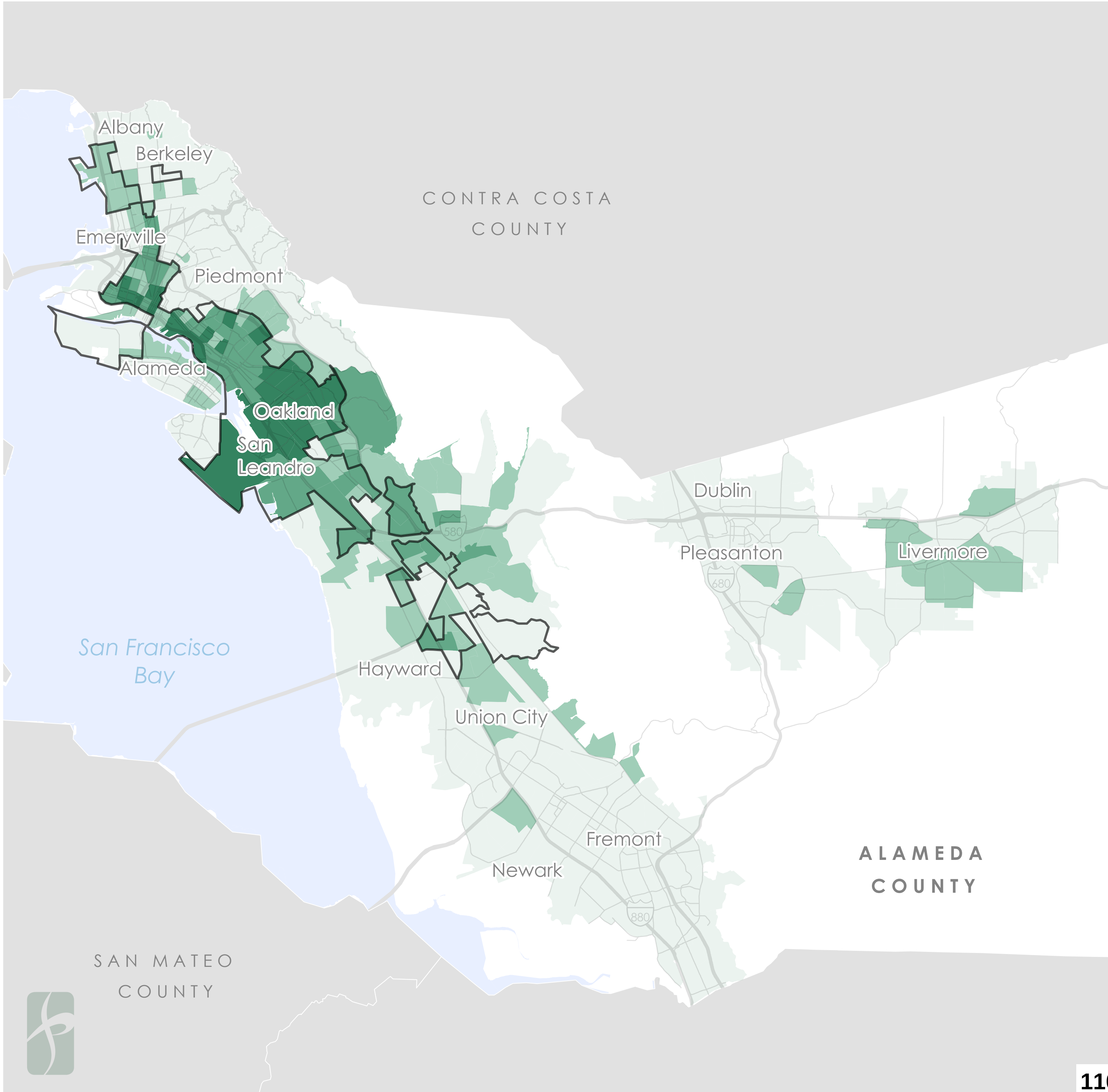
Source: CalEnviroScreen 4.0; Plan Bay Area, 2050.

0 1.75 3.5 7 Miles

# PUBLIC HEALTH OUTCOMES IN ALAMEDA COUNTY

Prevalence of Serious Heart and Lung Disease

- 50th Percentile or below
- 50th - 75th Percentile
- 75th - 90th Percentile
- 90th Percentile or Higher
- Equity Priority Communities




Note:
Health Index is calculated based on populations with asthma, heart disease and COPD.

Source: California Healthy Places Index; Plan Bay Area, 2050.

0 1.75 3.5 7 Miles

# CLIMATE CHANGE RISK IN ALAMEDA COUNTY

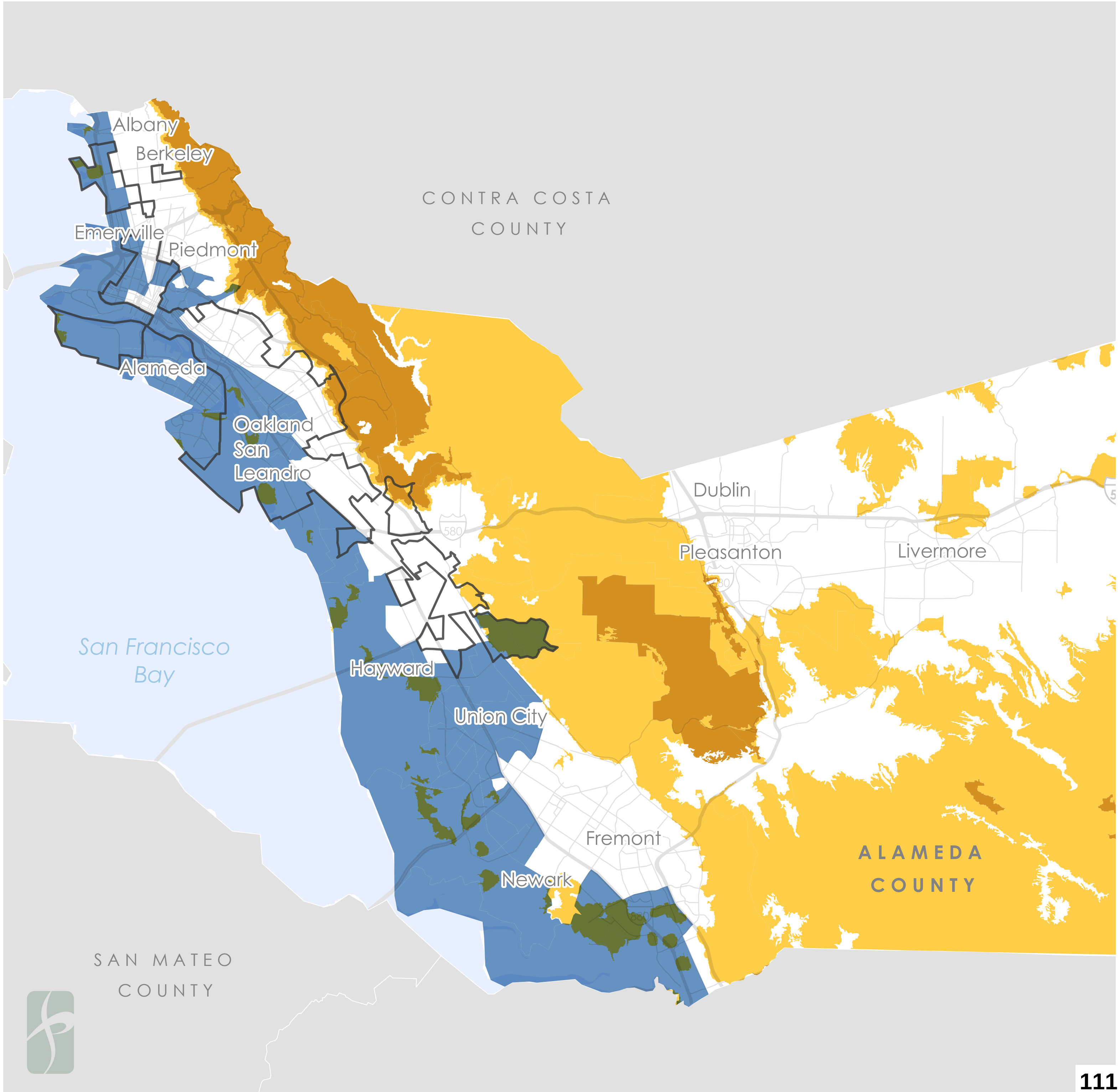
Sea Level Rise Inundation Area

Fire Hazard Severity Zone

High

Very High

Equity Priority Communities




Note: Sea Level Rise Inundation areas are areas expected to be in flood zones in 2100, due to 55-inch sea level rise and a 100-year flood event

Sources: CAL FIRE; California Healthy Places Index; Plan Bay Area, 2050.

0 1.75 3.5 7 Miles

# Excerpted from the 2016 Countywide Transportation Plan

## Equity Analysis

### Background

It has only recently become more common for countywide or regional long-term planning studies to directly factor the ways in which disadvantaged populations experience the transportation system into decisions about long-term improvements or the ongoing administration of transportation programs. MTC has been a pioneer in considering these types of populations in its long-range planning efforts, completing equity analyses as part of its two most recent Regional Transportation Plans (RTPs). MTC recently recommended that each of the nine Bay Area counties also complete

[75] http://mtc.ca.gov/sites/default/files/LTP4_guidelines.pdf, page 18.

equity analyses as part of their next countywide transportation planning efforts, as defined in MTC's CTP guidelines.

Past equity analyses have taken a variety of forms, but they typically attempt to estimate how transportation spending accrues to different population groups and whether the transportation system's performance is generally worse for those groups, based on the geographic areas in which they are concentrated. Alameda CTC's approach is grounded in research on best practices and lessons learned from past efforts and uses a combination of spatial and statistical analysis tools to understand nuances across populations, communities, and geography.

## Methodology

The analysis included racial, Limited English Proficiency (LEP), and low-income populations consistent with Federal Title VI analyses, as well as a small number of additional groups deemed to be potentially disadvantaged, including zero-car households, young people who are old enough to travel independently, and seniors. A limited number of metrics were selected on which transportation system performance would be measured based on how effectively they represent one's overall experience with the transportation system, how well they reflect the goals of the Alameda CTC Countywide Transportation Plan, and data availability. To examine the distribution of positive and negative impacts across these groups multiple test methods were explored, in order to determine which would be most robust. Testing multiple approaches led to the most inclusive methodology that could be applied with the data available to the team—incorporating groups that were adversely affected whether

### Assessing Correlations between Demographics and Performance—a primer on the methodology

The equity analysis used a series of statistical tests to determine whether areas with higher concentrations of a demographic group were correlated with worse outcomes on performance. Two of the statistical tests (difference of means and chi-squared) compared the performance of Census tracts with a substantial concentration of each demographic group to all other tracts, while one of the tests (regression) looked continuously at whether increasing concentrations of a given demographic group was correlated with worse performance on a given metric. If *any* of the three statistical tests revealed a negative disparity or a trend toward worse performance, it was deemed an equity issue.

Using just one of these tests could leave the analysis vulnerable to missing some disparities. Relying on two tests that compare transportation conditions in a group of tracts with high concentrations of a given demographic group to those with low concentrations of the group might have missed patterns that would be revealed if the thresholds defining high versus low concentrations were set differently. Likewise, if the analysis relied entirely on regression, it might have missed some disparities that could be masked by correlations between the demographic variables (i.e. if two demographic groups tend to live in the same areas or if certain demographic variables overlap significantly) or the effects of unevenly distributed data (i.e. if performance is particularly good or bad in fewer tracts, that could skew regression results).

they were members of multiple groups of one group, or were affected by one factor or many factors.

**Demographic Groups**

Traditionally, disadvantaged populations have been considered in an aggregated way, with a focus on areas with populations with multiple or *overlapping* concentrations of people from those disadvantaged or vulnerable backgrounds. While this approach has strengths and has enabled the identification of communities with the most extreme concentrations of disadvantaged populations, it also has limitations, obscuring challenges specific communities face and excluding people from vulnerable demographic groups who happen to live in areas with lower concentrations of such populations.

The adopted approach for the CTP sought to mitigate these limitations by analyzing transportation performance for each population individually across various factors, in order to examine whether any specific group experiences disproportionately poor transportation conditions. In other words, the approach tried to identify groups for which, no matter where members of the group live, the transportation system tends to perform worse than it does for people in the general population.

This analysis focused on the historically underserved demographic groups shown in Figure 7-1. Groups were included based on the Federal Transit Administration's Title VI guidance, U.S. Census Bureau categories and thresholds, and/or inclusion in Plan Bay Area.[76]

[76] The analysis also initially considered women a vulnerable demographic group, given historic disadvantages, but did not find major differences in women's population share across neighborhoods, nor notably worse transportation performance for the group on most metrics.

**Figure 7-1 Groups Included in Equity Analysis**

| Equity Factors | Demographic Groups | Reference for Inclusion |
|---|---|---|
| Racial/Ethnic | American Indian and Alaska Native<br>Asian[77]<br>Black or African American<br>Hispanic or Latino<br>Native Hawaiian or Other Pacific Islander[78] | FTA Title VI Guidance (Circular 4702.1B) |
| Income/Affordability | Up to 200% of federal poverty line ($50,000/household as estimate)[79] | U.S. Census Bureau Poverty Thresholds |
| Age | Mobile Youth (10-19 years)[80]<br>Senior (>75 years)[81] | Youth: U.S Census and California DMV<br>Senior: Plan Bay Area equity category |
| Language Skills | Limited English Proficiency[82] | Plan Bay Area |
| Mobility | Zero-Car Households | Plan Bay Area |

### Performance Metrics

The analysis looked at transportation system "inputs," i.e., how transportation dollars are spent, and "outcomes," i.e., the accessibility, quality, and usability of the transportation system that result from investment patterns of the transportation system in Alameda County, and how equitably they are distributed today.

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[77] Includes, per FTA Circular 4702.1B: "People having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysa, Pakistan, the Philippine Islands, Thailand, and Vietnam."

[78] Includes, per FTA Circular 4702.1B: "People having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands."

[79] Given the structure of Census data, this is the closest possible approximation of 200% of poverty for a family of four. The poverty line for a family of two adults and two related children was $24,008, according to the most recent thresholds released in 2014. The 200% federal poverty line metric was chosen to maintain consistency with federal funding guidelines using this threshold to identify low-income people. (http://www.census.gov/hhes/www/poverty/data/threshld/thresh14.xls and http://factfinder.census.gov/bkmk/table/1.0/en/ACS/13_5YR/S1901/0500000US06001).

[80] The selected census age groups represent the age range at which minors are generally independently mobile but lack an automobile. DMV license data was used to confirm that this bracket should include people in their late teens – this cohort gets drivers licenses at much lower rates than other age brackets.

[81] Per Plan Bay Area, 75 represents advanced enough age that mobility might start to be limited for a significant portion of this cohort.

[82] Per FTA Circular 4702.1B: "Includes people who reported to the U.S. census that they speak English less than very well, not well, or not at all."

The equity analysis used five areas of transportation performance that could be readily analyzed based on available data. The performance areas and the specific metrics are shown in Figure 7-2.

**Figure 7-2 Equity Performance Metrics**

| Topic Area | Metric | Source |
|---|---|---|
| Motorized Accessibility | Job Accessibility[83] via Transit (45 minutes) vs. Auto (30 minutes) | Alameda CTC Travel-Demand Model and U.S. Census Bureau Longitudinal Employer-Household Dynamics (LODES) Data |
| Motorized Accessibility | Difference in Peak and Off-Peak Job Accessibility Ratios | Alameda CTC Travel-Demand Model and U.S. Census Bureau Longitudinal Employer-Household Dynamics (LODES) Data |
| Bicycle and Pedestrian Safety | Pedestrian and Bicycle-Involved Collisions | Caltrans Statewide Integrated Traffic Records System (SWITRS) |
| Bicycle Comfort | Average Level of Traffic Stress on Nearby Arterials | Alameda CTC Arterial Plan |
| Air Quality | Diesel Particulate Matter (PM) | CalEnviroScreen 2.0 |
| Air Quality | Asthma ER Visit Rate | CalEnviroScreen 2.0 |
| Pavement Condition | Share of Roadway Miles Deemed "At Risk" or Worse | MTC StreetSaver |

## Findings

As noted above, the equity analysis examines the ways the existing transportation system meets the needs of Alameda County travelers today, recognizing that these results are from historical investment policies outside of Alameda CTC's decision-making control. This equity analysis reveals no substantial inequities in the investment of Alameda CTC's local funding.

Figure 7-3 summarizes the outcomes of the equity analysis. Cells in the matrix with a diamond indicate that at least one of the statistical tests identified a disparity or trend toward worse performance for the particular demographic group on the

[83] Job accessibility is defined as the number of jobs in specific categories that residents of a given tract can reach within the specified travel time for each mode. Jobs included in this analysis included jobs in low-wage and mid-range industries, based on MTC Prosperity Plan Jobs Housing Report categorizations: Retail trade, administrative support, waste management, remediation, arts, entertainment, recreation, accommodation and food services, other services (not public administration), construction, manufacturing, wholesale trade, transportation and warehousing, real estate, rental, leasing, educational services, health care/social assistance, and public administration.

particular performance metric. Areas with higher concentrations of African American/Black residents showed disparities or negative trends on each of the metrics, more than any other demographic group. Other groups seeing poorer performance across most of the metrics include low-income households, individuals with limited English language proficiency, and households without private cars.

The difference in the reach of transit, relative to automobiles, between peak and off-peak periods might be particularly important for low-income and zero-car households, which are more likely to depend on transit for their economic well-being. People with low incomes may also disproportionately hold jobs with arrival and departure hours that do not fall in traditional peak periods, making the difference between peak and off-peak service particularly challenging for them.

Several metrics showed equity issues for a majority of the demographic groups. These included air quality (rates of emergency room visits related to asthma), as well as access to comfortable bicycle facilities. These results align with anecdotal information, background research associated with transportation inequities, and the following data from the surveys conducted as part of this effort. Many individuals in the targeted populations tend to be concentrated in areas with wider streets, more traffic, and proximity to air pollution sources, including goods movement facilities and regional freeways.

**Figure 7-3 Equity Findings**

| | African Am./ Black | Am. Indian/ Alaska Native | Asian Am. | Hispanic /Latino | Pacific Islander/ Hawaii Native | 200% of Poverty | Mobile Youth (10-19) | Seniors (75+) | Limited English | Zero-Car HHs | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|
| **Air Quality** (Asthma Hospital Visit Rates) | ♦ | ♦ | | ♦ | ♦ | ♦ | ♦ | | ♦ | ♦ | **8** |
| **Air Quality** (Diesel Emissions) | ♦ | | | | | ♦ | | | ♦ | ♦ | **4** |
| **Bike and Ped Safety** (Collisions) | ♦ | ♦ | ♦ | | | ♦ | | | | ♦ | **5** |
| **Bike Comfort** (Level of Traffic Stress) | ♦ | | ♦ | ♦ | ♦ | | ♦ | ♦ | ♦ | | **7** |
| **Job Accessibility** (Transit compared to Auto) | ♦ | | ♦ | ♦ | | | ♦ | ♦ | | | **5** |
| **Job Accessibility** (Peak vs. off-peak transit accessibility) | ♦ | | | | | ♦ | | | ♦ | ♦ | **4** |
| **Pavement Quality** ("At Risk" or Worse) | ♦ | | | ♦ | | ♦ | | | ♦ | ♦ | **5** |
| **Total** | **7** | **2** | **3** | **4** | **2** | **5** | **3** | **2** | **5** | **5** | |

The equity analysis used the ratio of jobs in certain categories accessible by transit to the number of jobs accessible by auto. This functions as a measure of the availability of a variety of good travel options. It is important to note, however, that transit accessibility was much lower than auto accessibility across the county, even in the areas with the best transit service. This condition is by nature a potential transportation equity issue, given that low-income households are less able to afford the expenses related to private automobiles than higher-income households. In other words, job access is an issue for disadvantaged communities countywide because of the disparities in access between transit and private automobiles.

The equity analysis highlights the countywide trends as a way of understanding the biggest performance issues and gaps, but the results do not mean that the issues highlighted here manifest identically in every community. Moving from analysis to response requires looking at results on a more fine-grained level, community-by-community. The equity strategy, detailed later in this chapter, lays out a path forward on this important next step.

ALAMEDA County Transportation Commission

ALAMEDA COUNTY TRANSPORTATION COMMISSION

# Equity Initiative
## Alameda CTC Equity Statement

September 22, 2022

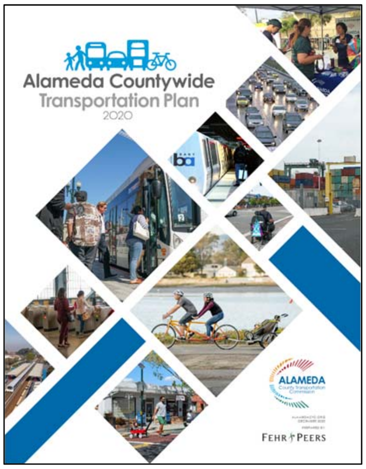
## Agenda

- Background
- Defining Equity in Alameda County
- Agency Equity Statement
- Next Steps

ALAMEDA COUNTY TRANSPORTATION COMMISSION 2

# Ongoing and Recent Equity Planning Work

Countywide Transportation Plan




Community Based Transportation Plan




# Equity in Alameda CTC Programs

**Paratransit**

**Affordable Student Transit Pass Program**

**Safe Routes To Schools**

# Alameda CTC Equity Efforts and Coordination

| Equity Focus Area: | Internal Equity Efforts | Legal Equity Obligations | Equity in Planning, Project & Program Implementation | Equity in Funding Decisions |
|---|---|---|---|---|
| Lead Dept/ Group: | Culture & Engagement Committee (CEC) *Cross Departmental* | Policy, Communications | Planning | Programming |
| Tasks: | • DE&I Statement<br>• Hiring Practices and Policies<br>• Staff Training<br>• Culture Building<br>• Staff Engagement | • Title VI<br>• Agency Language Assistance Plan (LAP) | • Equitable Engagement<br>• Equity Initiative<br>• Community-based Transportation Plans<br>• Equity Considerations in CTP | • Programming Equity Analysis<br>• Integrating equity into programming actions |



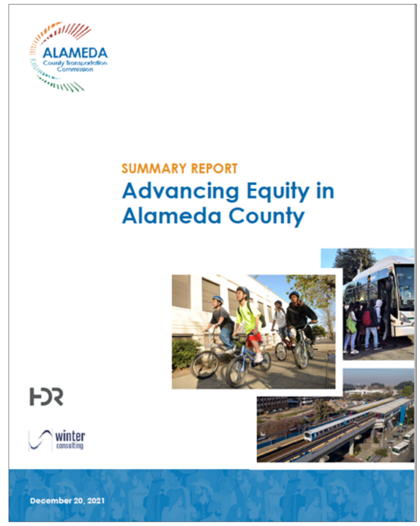
# Opportunity to elevate and expand equity at Alameda CTC

- Moral obligation to acknowledge past and current inequities in transportation
- Federal, state and regional policies and funding applications require robust consideration of equity
- Opportunity to rethink our approach to planning and projects, especially working with communities

## Key Research Findings

Agencies have:

- Institutionalized equity
- Participated in equity processes
- Adopted equity statements, policy-level commitments
- Explored deeper ways of partnering with communities
- Specifically defined equity






## Commission Retreat Outcomes

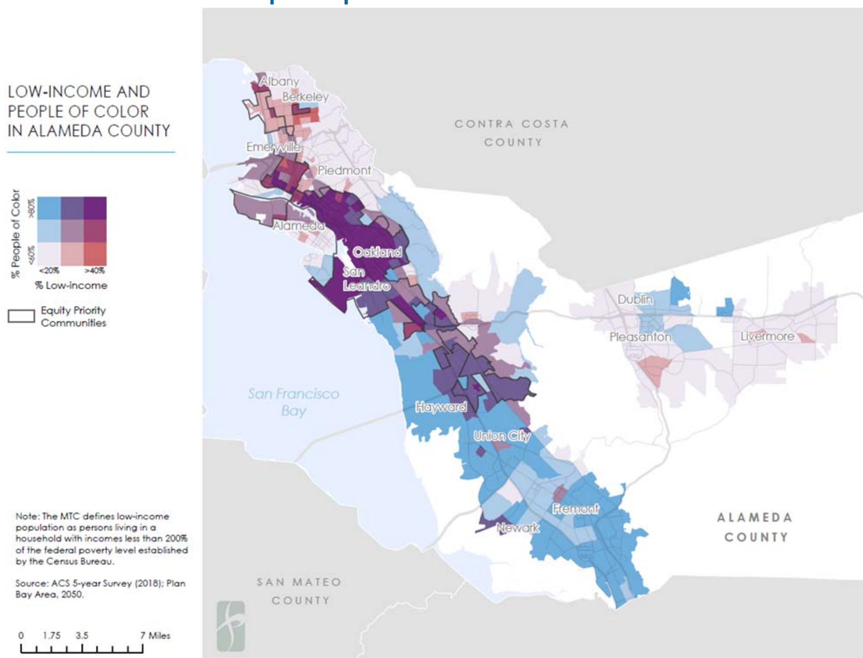
- Established the JEDI Ad Hoc Committee
- Continue to advance deliverables of Culture & Engagement Committee (CEC)
- Refine technical definition of equity
- Develop & implement a Race and Equity Action Plan (REAP)
- Develop & implement Agency-wide Inclusive Engagement Guide
    - Partner with CBOs on outreach

# Defining Equity in Alameda County

## Defining Equity in Alameda County

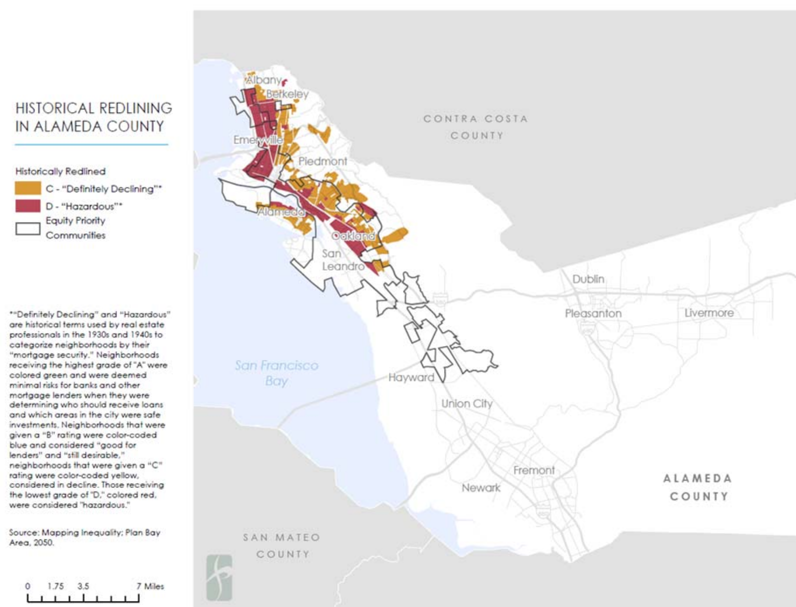
- Several different technical methods for defining disadvantaged communities with an increasing focus on public health and outcomes
- Common indicators: low-income, minority, linguistic isolation and educational attainment
- Bay Area: MTC's Equity Priority Communities (EPCs)
- Identify communities that are or have been historically underserved, and disproportionately impacted by socioeconomic, public health and/or climate change impacts

# Low-income and people of color in Alameda County

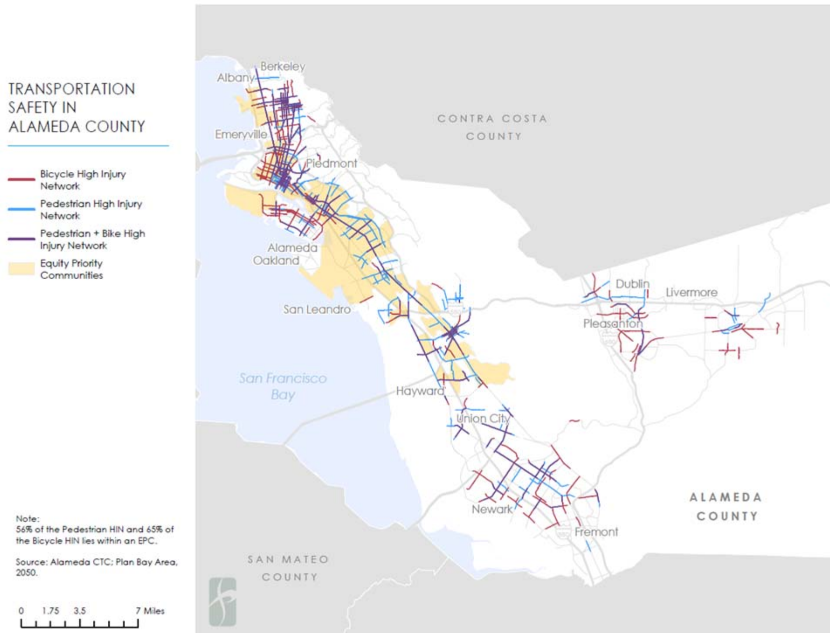





# Historic redlining in Alameda County

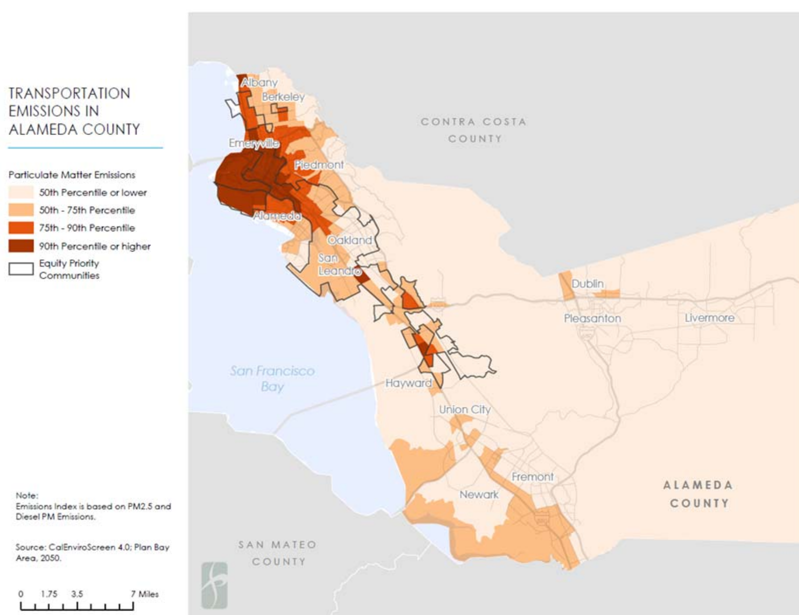


# Transportation safety in Alameda County

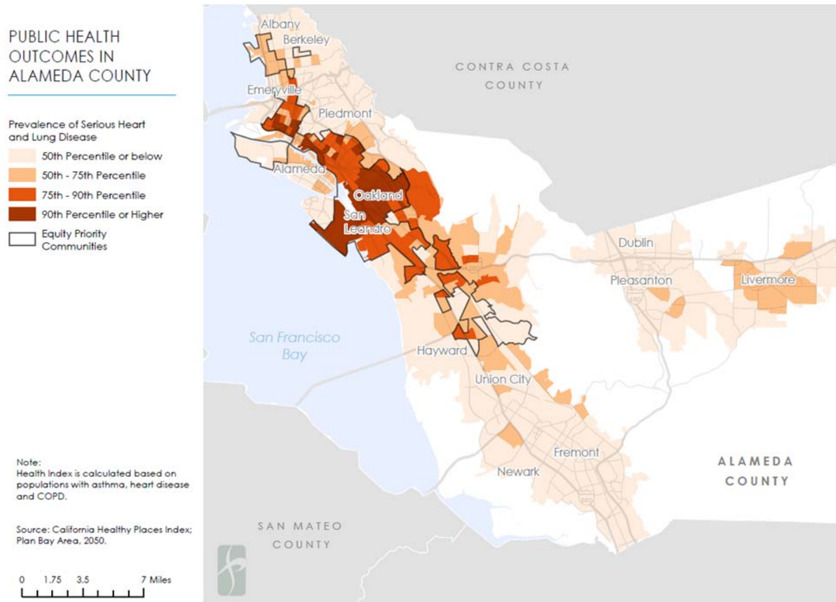





# Transportation emissions in Alameda County



# Public health outcomes in Alameda County






# 2016 CTP: Equity Analysis Findings

| | Black/ African Amer. | HH Below 200% Poverty | Limited English Proficiency | Zero-Car Households | Hisp/ Latino | Asian Amer. | Pacific Island/ Hawai'i Native | Mobile Youth (10-19) | Amer. Indian/ Alaska Native | Senior (75+) |
|---|---|---|---|---|---|---|---|---|---|---|
| Metrics w Poor Perf. | 7 | 5 | 5 | 5 | 4 | 3 | 2 | 3 | 2 | 2 |

- Analysis of which historically-disadvantaged demographic groups face statistically significant disparities in transportation outcomes
- Identified historically-disadvantaged demographic groups for which average *countywide* system performance is worse than the general population

# Equity Statements

## Equity Statement Development

- Best practices research
  - Defining equity is a key component of establishing an equity initiative.
  - Equity statements delineate a commitment to equity
  - An effective equity statement aligns with the organization's overall mission and vision.
  - Statements clearly state what equity looks like in agency's context.
- Draft statements informed by the following components:
  - Best practices research
  - JEDI Committee members input
  - Alameda CTC staff
  - Alameda CTC staff Culture & Engagement Committee

## Equity Statement – for Approval

Alameda CTC recognizes inequities in marginalized communities and is committed to advancing racial, socio-economic, and environmental justice in order to maintain the diversity of our communities. Alameda CTC adopts and implements deliberate policies, systems and actions to deliver transportation funding, projects and programs that result in more equitable opportunities and positive outcomes for marginalized communities.

*The Race and Equity Action Plan (REAP) is an action plan that fulfills this commitment.*



## Next Steps and Discussion

- Key upcoming activities and deliverables :
  - Community Engagement
  - Race and Equity Action Plan (REAP)
  - Inclusive Engagement Guide

Today's action: approve Alameda CTC Equity Statement:

Alameda CTC recognizes inequities in marginalized communities and is committed to advancing racial, socio-economic, and environmental justice in order to maintain the diversity of our communities. Alameda CTC adopts and implements deliberate policies, systems and actions to deliver transportation funding, projects and programs that result in more equitable opportunities and positive outcomes for marginalized communities.

*The Race and Equity Action Plan (REAP) is an action plan that fulfills this commitment.*

# Memorandum 8.2

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

| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Patricia Reavey, Deputy Executive Director of Finance and Administration |
| **SUBJECT:** | Approve an Amendment to the Alameda CTC Administrative Code |

## Recommendation

It is recommended that the Commission approve an amendment to the Alameda CTC Administrative Code (Code).

## Summary

An amendment to Alameda CTC's Administrative Code is attached in redline to show the recommended changes since the Code was last adopted in March. The recommended changes to the Code include:

- The addition of language that prohibits ex parte communications (as defined) between bidders or proposers and Alameda CTC Commissioners and staff during the procurement process, except as specifically provided;
- Clarification of the assigned chair and vice chair of the Alameda CTC Audit Committee;
- Align the Administrative Code with actual practice regarding the Chair and Vice Chair elections since the creation of the Alameda CTC to biennial elections, to align with election cycles and to ensure historical knowledge and leadership development with the Chair and Vice-Chair terms; and
- Other administrative amendments.

## Background

Subsequent to the election of the new Chair of the Commission and at the new Chair's direction, staff submitted an amendment of the Code to the Commission for approval in March 2022 which eliminated the Multi-Modal Committee in order to streamline the work of Alameda CTC. Since then, Alameda CTC staff and legal counsel did a thorough review of the Code for any other changes that might be necessary and to incorporate administrative adjustments to make it uniform with other Alameda CTC documents. The draft amendment is attached to this staff report in redline for Commission review.

Some of the more significant changes include the addition of language that prohibits ex parte communications between a bidder, proposer, consultant, contractor, or protestor and Alameda CTC Commissioners, Alternates, staff, agents, general counsel, contractors, or other representatives during the procurement process, except as specifically provided in Section 2.3, which was necessary in order to address communications initiated by consultants and subconsultants related to negotiations on recent contracts. Ex parte communications can make it more difficult for Alameda CTC to be successful in our work, in particular as it relates to contract negotiations. To eliminate any confusion in this regard, legal counsel has worked with staff to draft language to be included in the Code which makes expectations clear to staff, consultants, and Commissioners alike. Corresponding language will be added to RFPs and RFQs.

When the Alameda CTC Audit Committee was first approved and implemented by the Commission, the membership of the Audit Committee was established to include the chair of the Finance and Administration Committee (FAC) and the Chair and Vice Chair of the Commission, and the chair of the FAC was designated as the Audit Committee chair and the Commission Chair was designated as the Audit Committee vice chair. The designation of the chair and vice chair of the Audit Committee was never written into the Code, however. Formalizing this designation in the Code will make the Commission's decision clear for future reference.

In addition, since Alameda CTC was created in 2010, there have been elections for the chair and vice chair of the Commission on an annual basis in line with the adopted Code; in reality, however, the Chair and the Vice Chair have only changed every other year allowing two-year terms for the positions of Chair and Vice Chair. Codifying leadership terms with biennial elections aligns with election cycles and ensures historical knowledge and leadership development with the Chair and Vice-Chair terms. With this in mind, it makes sense to have the Code reflect what actually occurs in practice.

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

**Attachment:**

A. Draft Alameda CTC Administrative Code September 2022 (Redline)

**ALAMEDA COUNTY TRANSPORTATION COMMISSION**
**ADMINISTRATIVE CODE**
(as amended on ~~March 24~~September 22, 2022)

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**ALAMEDA COUNTY TRANSPORTATION COMMISSION**
**ADMINISTRATIVE CODE**
(as amended on ~~March 24~~September 22, 2022)

## ARTICLE 1
## GENERAL PROVISIONS

**1.1 Title.** This Code is enacted by the Alameda County Transportation Commission ("Alameda CTC" or "ACTC") pursuant to the provisions of California Public Utilities Code Section 180105 and the Joint Powers Agreement dated for reference purposes as of March 25, 2010 (as it may subsequently be amended from time to time) which created ~~the~~ Alameda CTC ("JPA"). This Code may be referred to as the "Alameda County Transportation Commission Administrative Code." This Code prescribes the powers and duties of officers of Alameda CTC, the method of appointment of employees of Alameda CTC, and the methods, procedures, and systems of operation and management of Alameda CTC.

**1.2 Reference Includes Amendments.** Reference to this Code or any portion thereof includes later amendments thereto. This Code may be amended by ordinance of the Commission.

**1.3 Severability.** If any term or provision of this Code is ever determined to be invalid or unenforceable for any reason, such term or provision shall be severed from this Code without affecting the validity or enforceability of the remainder of this Code.

**1.4 Interpretation.** Section headings in this Code are for convenience of reference only and shall not affect the meaning or interpretation of any provision of this Code. As used herein: (a) the singular shall include the plural (and vice versa) and the masculine or neuter gender shall include the feminine gender (and vice versa) where the context so requires; (b) locative adverbs such as "herein," "hereto," and "hereunder" shall refer to this Code in its entirety and not to any specific Section or paragraph; (c) the terms "include," "including," and similar terms shall be construed as though followed immediately by the phrase "but not limited to;" and (d) "shall," "will" and "must" are mandatory and "may" is permissive.

## ARTICLE 2
## CODE OF ETHICS

**2.1 Ethics Statement.** The foundation of any democratic institution or governmental agency relies upon the trust and confidence its citizens place in its elected officials, appointed managers or administrators, and staff. Honesty, integrity and professionalism must serve as the guiding principles for Alameda CTC in carrying out its deliberations and Alameda CTC's business. The ethical operation of local government requires that decision-makers be impartial and accountable. Alameda CTC expects its representatives, including but not limited to Commission Members, employees, contractors, and advisory committee members to act in a manner that retains and inspires the trust and confidence of the people they serve.

**2.2 Expectations.** It is the general policy of Alameda CTC to promote the highest standards of personal and professional ethics by individuals charged with carrying out Alameda CTC's business. Alameda CTC expects all participants to:

**2.2.1** Conduct public deliberations and Alameda CTC business in an atmosphere of mutual respect, consideration, cooperation and civility.

**2.2.2** Conduct public processes openly, unless legally required to be confidential.

**2.2.3** Comply with both the letter and spirit of the laws and policies affecting the operations of government in general and Alameda CTC specifically, including but not limited to the Political Reform Act, common law restrictions on conflicts of interest and self-dealing, Government Code Section 1090, and the Conflict of Interest Code.

**2.2.4** Use public service for the public good, not for personal gain.

**2.3 Prohibition on Ex Parte Communications.** Alameda CTC recognizes that adherence to procedures ensuring fairness is essential to the maintenance of public confidence in the value and soundness of Alameda CTC's procurement processes. Therefore, any communication (whether in person, by telephone, or through electronic means), other than at a public meeting or as instructed in a procurement document ("ex parte communications"), between a bidder, proposer, consultant, contractor or protestor (or any subconsultant or subcontractor thereto, and their respective employees, agents or representatives) and Alameda CTC's Commissioners, Alternates, Staff, agents, general counsel, contractors, or other representatives during the procurement process is strictly prohibited, except as otherwise provided herein.

**2.3.1** Ex parte communications are prohibited from the date of advertising of the solicitation, through contract award, until the contract has been fully executed by Alameda CTC and the contractor or consultant. Further, ex parte communications are prohibited with respect to proposed or potential amendments or extensions to existing contracts.

**2.3.2** Exceptions. This requirement shall not prohibit:

**2.3.2.1** Communications specifically authorized by specific procurement documents, which generally designate a Sole Point of Contact.

**2.3.2.2** Communications between Staff and prime consultant /prime contractor representatives following contract award regarding (i) negotiation of final contract or amendment terms, work scope, and budget with respect to consultants or other service providers, (ii) collection and verification of administrative matters such as proof of insurance, bonds and other required forms, as applicable, and (iii) execution and delivery of signed contracts.

**2.3.2.3** Pre-Bid and Pre-Proposal Meetings, and procurement interviews.

2.3.2.4 The filing and processing of (i) a written protest to any proposed award, to be made pursuant to the Bid Protest Procedure and/or the specific procurement document; (ii) an appeal of any decision made pursuant to Alameda CTC's Local Business Contract Equity (LBCE) Program, following the procedures outlined therein; or (iii) an appeal of any decision or determination with respect to Disabled Business Enterprise (DBE) matters, following procedures applicable thereto.

2.3.2.5 Addressing the Commission or a Standing Committee at public meetings.

2.3.2.6 Contacts between Staff and its consultants or contractors in regard to any work being performed on Alameda CTC projects or programs unrelated to the solicitation.

~~2.3~~2.4 **Nepotism.** To ensure that the business of ~~the~~ Alameda CTC is conducted in accordance with the standards outlined in this Article 2 and to avoid situations that create an actual or potential conflict between employees or officials' personal interests and the interests of the agency, no close relative, as defined in Article 3, of the Executive Director, Executive Team, General Counsel, or a Commission Member may be employed by ~~the~~ Alameda CTC during the above-listed employees/officials' tenure or term.

## ARTICLE 3
## DEFINITIONS

**3.1 Existing Definitions Adopted.** For the purposes of this Code, all words not defined herein shall have such meanings as (i) have been established in a controlling Expenditure Plan, or (ii) have been determined by the laws of the State and decisions of the courts of the State, or (iii) if a term has not been defined in any of the foregoing, the term shall have such meaning as is ascribed to it in standard American-English vernacular, as evidenced by common usage and definitions contained in generally-accepted American-English dictionaries.

**3.2 "1986 Transportation Expenditure Plan"** means the Alameda County Transportation Expenditure Plan approved by the voters of Alameda County pursuant to the passage of the original Measure B on November 4, 1986, as it may subsequently be amended from time to time.

**3.3 "2000 Measure B"** means Measure B as adopted by the voters of Alameda County on November 7, 2000 pursuant to Section 180206 of the Act. The half-cent sales tax authorized by 2000 Measure B will extend through March 31, 2022.

**3.4 "2000 Transportation Expenditure Plan"** means Alameda County's 20-Year Transportation Expenditure Plan, dated July 2000 and funded by the retail transactions and use tax imposed pursuant to 2000 Measure B, as it may subsequently be amended from time to time.

**3.5 "2014 Measure BB"** means Measure BB as adopted by the voters of Alameda County on November 4, 2014 pursuant to Section 180206 of the Act. Measure BB augments the 2000 Measure B half-cent sales tax by an additional half cent, from April 1, 2015 through

March 31, 2022. The full one-cent sales tax authorized by 2014 Measure BB will begin April 1, 2022 and will extend through March 31, 2045.

**3.6** **"2014 Transportation Expenditure Plan"** means Alameda County's 30-Year Transportation Expenditure Plan, dated January 2014 and funded by the retail transaction and use tax imposed pursuant to 2014 Measure BB, as it may subsequently be amended from time to time.

**3.7** **"Act"** means Division 9 of the California Public Utilities Code, Sections 180000 et seq., also known as the Local Transportation Authority and Improvement Act, as the Act may be amended from time to time.

**3.8** **"ACCMA"** or **"CMA"** each mean the Alameda County Congestion Management Agency, the agency originally tasked with the duty of adopting and implementing the Congestion Management Program, as a result of the 1990 passage of Proposition 111. ACCMA has now been dissolved, and Alameda CTC has assumed its duties, rights and obligations pursuant to the JPA.

**3.9** **"ACTA"** means the Alameda County Transportation Authority, the agency originally tasked with the duty of implementing the 1986 Transportation Expenditure Plan. ACTA has now been dissolved, and Alameda CTC has assumed its duties, rights and obligations pursuant to the JPA.

**3.10** **"ACTAC"** means the Alameda County ~~Transportation~~Technical Advisory Committee, the technical advisory committee to the Commission, as described herein.

**3.11** **"ACTIA"** means the Alameda County Transportation Improvement Authority, the agency originally tasked with the duty of implementing the 2000 Transportation Expenditure Plan. ACTIA has now been dissolved, and Alameda CTC has assumed its duties, rights and obligations pursuant to the JPA.

**3.12** **"Advisory Committee"** means each advisory committee established by or for the Commission.

**3.13** **"Alameda CTC"** and **"ACTC"** each mean the Alameda County Transportation Commission.

**3.14** **"Alternate"** means each of those persons appointed to serve and vote as an alternate member of the Commission or of a Standing Committee in the absence of a specific Commission Member. Each Alternate shall be an elected official and shall meet all other criteria set forth in the JPA. Commission Member~~'~~s' staff are not eligible to serve as an alternate for ~~the~~a Commission Member.

**3.15** **"Annual Budget"** means the budget for Alameda CTC, including budgets related to (i) the 1986 Transportation Expenditure Plan, (ii) the 2000 Transportation Expenditure Plan, as required by Section 180105 of the Act, (iii) the 2014 Transportation Expenditure Plan, as required by Section 180105 of the Act, (iv) the Congestion Management Program, (v) the Vehicle Registration Fee (VRF) Expenditure Plan, and (vi) other matters.

**3.16** **"Audit Committee"** means such Standing Committee, consisting of the Chair ~~of the Commision, the~~ and Vice Chair of the Commission and the ~~C~~chair of the Finance and Administration Committee, that meets on an as needed basis with the powers, authority and duties as described in Section 4.9 herein. The FAC chair shall serve as chair of the Audit Committee, and the Commission Chair shall serve as vice chair of the Audit Committee.

**3.17** **"Authorized Vote"** means the total number of weighted votes represented by all Commission Members, pursuant to the provisions of the JPA. Weighted voting applies only to actions by the Commission, and is not used for Committee votes.

**3.18** **"Bicycle and Pedestrian Advisory Committee"** or **"BPAC"** each mean the Advisory Committee which shall advise Alameda CTC and staff on the development and implementation of bicycle and pedestrian programs.

**3.19** **"Board of Supervisors"** means the Board of Supervisors of the County.

**3.20** **"Bonds"** means indebtedness and securities of any kind or class, including but not limited to bonds, refunding bonds, or revenue anticipation notes.

**3.21** **"Brown Act"** means the Ralph M. Brown Act, Government Code Sections 54950 *et seq.*, as it may be amended from time to time.

**3.22** **"Chair"** means the ~~C~~chair of the Commission, as elected by the Commission.

**3.23** **"Citizens Watchdog Committee"** or **"CWC"** each mean the Advisory Committee for 2000 Measure B required by the 2000 Transportation Expenditure Plan. Pursuant to 2014 Measure BB, the CWC has been renamed the Independent Watchdog Committee effective July 1, 2015.

**3.24** **"City"** means any incorporated city or town within the County.

**3.25** **"Clerk"** means the Staff member designated by the Executive Director to serve as the Clerk of the Commission.

**3.26** **"Close Relative"** means a spouse, domestic partner, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person.

**3.27** **"Code"** means this Administrative Code of the Alameda County Transportation Commission.

**3.28** **"Commission"** means the governing body of Alameda CTC, which constitutes the legislative body of Alameda CTC as defined under Section 54952 of the Brown Act. The Commission is referenced as the "Board" in the JPA and certain other documentation to ensure consistency with the historical practice of ACTA, ACTIA, and ACCMA.

**3.29** **"Commission Engineer"** means a Staff member holding and maintaining a California Professional Civil Engineer license who is designated by the Executive Director as the Commission Engineer.

**3.30** **"Commission Member"** and **"Commissioner"** each mean each of those persons appointed to serve as a member of the Commission pursuant to the JPA.

**3.31** "**Commission Meeting**" means a regular or special meeting of the full governing body of ~~the~~ Alameda CTC noticed in accordance with the Brown Act.

**3.32** **"Conflict of Interest Code"** means the Conflict of Interest Code of ~~the~~ Alameda CTC, as adopted and regularly updated by the Commission pursuant to the provisions of Government Code Section 87300 *et seq.*

**3.33** **"Congestion Management Agency"** means ~~the~~ Alameda CTC serving in its role as the County's Congestion Management Program agency, as designated pursuant to Government Code Section 65089 and the JPA.

**3.34** **"Congestion Management Program"** means the program developed and administered by Alameda CTC, as the Congestion Management Agency and successor to the ACCMA, in accordance with the provisions of Government Code Section 65089.

**3.35** **"County"** means the County of Alameda.

**3.36** **"Elected Official"** means (i) any duly elected and serving official of the legislative body, as defined in Government Code Sections 34000 and 34002, of any City, (ii) any duly elected and serving member of the Board of Supervisors, and (iii) any duly elected and serving official of the legislative body of any Member Transit Agency.

**3.37** **"Executive Director"** means the chief executive officer selected by the Commission to conduct the overall and day-to-day management of the activities of Alameda CTC.

**3.38** **"Expenditure Plan Project"** means a project and/or a program described in one or more of the Expenditure Plans.

**3.39** **"Expenditure Plans"** mean the 1986 Transportation Expenditure Plan, the 2000 Transportation Expenditure Plan, the 2014 Transportation Expenditure Plan and the VRF Expenditure Plan, collectively.

**3.40** **"Finance and Administration Committee"** or **"FAC"** each mean such Standing Committee with the powers, authority and duties as described in Section 4.9 herein.

**3.41** **"Fiscal Year"** means July 1 to and including the following June 30.

**3.42** **"General Counsel"** or **"Legal Counsel"** means the attorney(s) or law firm(s) acting as general counsel to Alameda CTC.

**3.43 "Geographic Area"** means the four subareas in the County, consisting of North County (the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont), Central County (the cities of Hayward and San Leandro and the unincorporated areas of Ashland, Castro Valley, San Lorenzo and others in the central section of the County), South County (the cities of Fremont, Newark and Union City), and East County (the cities of Dublin, Livermore, Pleasanton and the unincorporated areas of Eastern Alameda County).

**3.44 "Holiday"** means any day observed by Alameda CTC as a holiday, other than a Saturday or Sunday.

**3.45 "Independent Watchdog Committee"** or **"IWC"** each mean the committee created by the Commission as required by Measure BB, with the assistance of the League of Women Voters and other groups as defined in the 2014 Transportation Expenditure Plan. The IWC is a continuation of the Citizens Watchdog Committee originally created by the ACTIA Board as required by 2000 Measure B, as renamed effective on July 1, 2015. The IWC reports directly to the public and is charged with reviewing all 2000 Measure B expenditures and 2014 Measure BB expenditures and performance measures of Alameda CTC, as appropriate. IWC members are private individuals~~-~~ who are not elected officials at any level of government, nor individuals in a position to benefit personally in any way from the taxes levied pursuant to 2000 Measure B and 2014 Measure BB.

**3.46 "Investment Policy"** means any investment policy adopted by the Commission in conformance with applicable law.

**3.47 "JPA"** means the Joint Powers Agreement which created Alameda CTC, dated for reference purposes as of March 25, 2010, as it may subsequently be amended from time to time.

**3.48 "Member Agency"** means each public agency which is a member of Alameda CTC pursuant to the JPA.

**3.49 "Member Transit Agency"** means each transit agency which is a Member Agency.

**3.50 "Metropolitan Transportation Commission"** means the regional transportation planning agency for the San Francisco Bay Area authorized and created by Government Code Sections 66500 *et seq.*

**3.51 "Net Revenues"** means respectively (i) gross revenues derived from imposition of a retail transactions and use tax, less Board of Equalization administrative and other charges, with respect to the 1986 Transportation Expenditure Plan, 2000 Transportation Expenditure Plan and 2014 Transportation Expenditure Plan, or (ii) gross revenues derived from imposition of the VRF, less Department of Motor Vehicles administrative and other charges, with respect to the VRF Expenditure Plan.

**3.52 "Official Acts"** means all substantive actions taken by the Commission, excluding matters which are procedural in nature.

~~**3.53 "Organizational Meeting"** means the annual regular Commission Meeting held during the first quarter of each calendar year at which the Commission elects its chair and vice chair.~~

~~**3.54**~~**3.53** ~~-~~**"Paratransit Advisory and Planning Committee"** or **"PAPCO"** each mean the Advisory Committee, as described in Section 5.5 herein, which shall advise Alameda CTC and staff on the development and implementation of paratransit programs.

~~**3.55**~~**3.54** **"Planning, Policy, and Legislation Committee"** and **"PPLC"** each mean such Standing Committee with the powers, authority and duties as described in Section 4.9 herein.

~~**3.56**~~**3.55** **"Programs and Projects Committee"** or **"PPC"** each mean such Standing Committee with the powers, authority and duties as described in Section 4.9 herein.

~~**3.57**~~**3.56** **"Procurement Policy"** means any policy or policies adopted by the Commission regarding procurement of goods, services and supplies, and hiring of consultants and contractors, as such policy or policies may be amended from time to time.

~~**3.58**~~**3.57** **"Staff"** means employees of Alameda CTC.

~~**3.59**~~**3.58** **"Standing Committee"** means each of the standing subcommittees of the Commission as described in Section 4.9 ~~-~~herein, consisting of the Audit Committee, the FAC, the PPLC, and the PPC.

~~**3.60**~~**3.59** **"State"** means the State of California.

~~**3.61**~~**3.60** **"Vice Chair"** means the ~~V~~vice ~~C~~chair of the Commission, as elected by the Commission.

~~**3.62**~~**3.61** **"VRF"** means the vehicle registration fee adopted by the voters of the County in 2010 pursuant to Government Code Section 65089.20, as codified pursuant to Senate Bill 83 in 2009.

~~**3.63**~~**3.62** **"VRF Expenditure Plan"** means the expenditure plan adopted with respect to the VRF, and as it may subsequently be amended from time to time.

~~**3.64**~~**3.63** **"Working Day"** means any day other than a Saturday, Sunday or Holiday.

## ARTICLE 4
## POWERS, AUTHORITY AND DUTIES

**4.1 Power, Authority and Duty of the Commission.** The Commission shall have the power, authority, and duty to do all of those things necessary and required to accomplish the stated purpose and goals of Alameda CTC as set forth in the JPA. Except as otherwise provided herein, the Commission may delegate its power and authority to the Executive Director, who may further delegate such power and authority to Staff. Without limiting the generality of the foregoing, the Commission shall have the power and authority to do any of the following on behalf of Alameda CTC:

**4.1.1** To administer and amend, as necessary, the Expenditure Plans, to provide for the design, financing and construction of the projects described therein, and to determine the use of Net Revenues in conformance with the parameters established in the Expenditure Plans, and in conformance with governing statutes.

**4.1.2** To provide for the design, financing and construction of other projects as may be undertaken from time to time by Alameda CTC.

**4.1.3** To serve as a lead agency and evaluate and certify projects under the California Environmental Quaity Act (CEQA) where authorized by law.

**4.1.4** To prepare, adopt, implement and administer the Congestion Management Program as the designated congestion management agency for Alameda County.

**4.1.5** To establish, update and amend the Annual Budget.

**4.1.6** To enter into a contract with the Executive Director, which contract shall include the rate of compensation and other benefits of the Executive Director.

**4.1.7** To establish and revise the salary and benefit structure for Alameda CTC employees from time to time.

**4.1.8** To make and enter into contracts.

**4.1.9** To appoint agents.

**4.1.10** To acquire, hold, or dispose of real property and other property by any lawful means, including without limitation, gift, purchase, lease, lease purchase or sale, including use of the power of eminent domain to the extent ~~the~~ Alameda CTC is legally entitled to exercise such power. In compliance with applicable State law, resolutions of necessity related to the exercise of such power shall be heard by the Commission without prior review by any Standing Committee.

**4.1.11** To incur debts, liabilities or obligations subject to applicable limitations, including without limitation the issuance of Bonds.

**4.1.12** Subject to applicable reporting and other limitations as set forth in the Conflict of Interest Code, to receive gifts, contributions and donations of property, funds, services and other forms of financial assistance from persons, firms, corporations and any governmental entity.

**4.1.13** To sue and be sued on behalf of Alameda CTC.

**4.1.14** To apply for appropriate grants under any federal, state, regional or local programs for assistance in developing any of its projects, administering any of its programs, or carrying out any other duties of Alameda CTC pursuant to the JPA.

**4.1.15** To create, modify and/or terminate the Standing Committees, Advisory Committees, and ad hoc committees as may be deemed necessary by the Commission, subject to compliance with the Expenditure Plans and applicable laws.

**4.1.16** To review and amend the Administrative Code as necessary.

**4.1.17** To establish such policies for the Commission and/or Alameda CTC as the Commission deems necessary or are required by applicable law, and thereafter to amend such policies as appropriate.

**4.1.18** To exercise any other powers authorized in the JPA, the Act, the congestion management statutes (Government Code §§65088 *et seq.*), and/or any other applicable state or federal laws or regulations.

**4.1.19** To administer Alameda CTC in furtherance of all the above.

**4.2 Rules For Proceedings.** Except as otherwise provided herein, the following rules shall apply to all meetings of the Commission, the Standing Committees, the Independent Watchdog Committee, and all Advisory ~~-~~Committees.

**4.2.1** The selection of topics for meeting agendas is within the sole discretion of Alameda CTC and all agenda items must be related to and further the mission of Alameda CTC.

**4.2.2** All proceedings shall be governed by Robert's Rules of Order, unless otherwise specifically provided in this Code.

**4.2.3** All meetings shall be conducted in the manner prescribed by the Brown Act.

**4.2.4** A majority of the members of the Commission constitutes a quorum for the transaction of business of the Commission, regardless of the percentage of Authorized Vote present at the time, except that less than a quorum may adjourn from time to time.

**4.2.5** Except as otherwise provided herein or otherwise required by applicable law, all Official Acts require the affirmative vote of a majority of the Authorized Vote of the Commission Members (and/or Alternates eligible to vote) present at the time of the vote.

**4.2.6** Adoption of a resolution of necessity authorizing the exercise of the power of eminent domain requires approval by not less than 15 Commission Members (and/or Alternates eligible to vote), since a two-thirds vote of the 22 Commission Members is required by law. For projects on the State highway system, adoption of a resolution of necessity requires approval by not less than 18 Commission Members (and/or Alternates eligible to vote), since a four-fifths vote of the 22 Commission Members is required by law. Further, in compliance with

Caltrans' requirements, adoption of a resolution agreeing to hear resolutions of necessity for projects on the State highway system requires approval by not less than 18 Commission Members (and/or Alternates eligible to vote). Weighted voting may not be used for the adoption of any resolutions discussed in this Section.

**4.2.7** As required by the 2000 Transportation Expenditure Plan and the 2014 Transportation Expenditure Plan, two-thirds of the Authorized Vote of the Commission Members (and/or Alternates eligible to vote) present at the time of the vote is required to approve an amendment to the 2000 Transportation Expenditure Plan or the 2014 Transportation Expenditure Plan.

**4.2.8** A two-thirds vote of the Commission Members (and/or Alternates eligible to vote) present at the time of the vote is required to approve a new Expenditure Plan.

**4.2.9** A majority of the total Authorized Vote shall be required for each of the following actions by the Commission:

**4.2.9.1** To adopt or amend the Congestion Management Program.

**4.2.9.2** To adopt a resolution of conformance or non-conformance with the adopted Congestion Management Program.

**4.2.9.3** To approve or reject a deficiency plan.

**4.2.9.4** To adopt or amend the Countywide Transportation Plan.

**4.2.9.5** To approve federal or state funding programs.

**4.2.9.6** To adopt the Annual Budget and/or require contributions from any Member Agency.

**4.2.10** The election of the Chair and Vice~~-~~ Chair of the Commission will occur biennially~~annually~~ during a Commission Meeting in the first quarter of the calendar year, ~~which serves as the Organizational Meeting for the Commission,~~ and such elections will be effective immediately. If the Chair or Vice~~-~~ Chair resigns or is removed from office, the election for Chair or Vice-Chair to serve the remainder of the term shall be held at the next Commission meeting. In choosing the Chair and Vice Chair, Members shall give reasonable consideration to rotating these positions among the Geographic Areas and the transit representatives, among other factors.

**4.2.11** The Commission shall annually adopt the schedule of regular meetings of the Commission and the Standing Committees for the upcoming year~~ after a Chair has been selected, but no later than~~, and may modify the ~~end of the first quarter of the calendar year~~schedule as and when deemed necessary. The Commission and each Standing Committee may change the date for a regular meeting of such body to another business day if the regular date is a holiday or as otherwise determined by the Commission or such Standing Committee.

**4.2.12** The acts of the Commission shall be expressed by motion, resolution, or ordinance.

**4.2.13** A majority of the members of an Advisory Committee ~~or~~, a Standing Committee, or the Independent Watchdog Committee constitutes a quorum for the transaction of business of such committee, except that less than a quorum may adjourn from time to time.

**4.2.14** The acts of the Standing Committees, Advisory Committees, and the Independent Watchdog Committee shall be expressed by motion.

**4.3 Compensation of Commission Members and Alternates.** Commission Members or Alternates attending and participating in any Commission Meeting, a Standing Committee, or any external committee where such Commission Member or Alternate serves as the appointed or designated representative of Alameda CTC pursuant to Section 5.10 of this Administrative Code, shall be compensated at the rate of $225 for each such meeting, plus travel costs, if applicable, at the per diem rate of $25.

**4.4 Powers Reserved to Commission.** The matters not delegated to the Executive Director, but rather specifically reserved for the Commission, include adoption of the Annual Budget, establishment of strategy and policies for Alameda CTC, and succession planning for the Executive Director.

**4.5 Commission Directions to Staff through Executive Director.** Neither the Commission nor any Commission Member or Alternate shall give orders or directions to any Staff member or any Alameda CTC consultant or contractor except by and through the Executive Director. This shall not prohibit the Commission, Commission Members or Alternates from contacting Staff members for purposes of response or inquiry, to obtain information, or as authorized by the Executive Director.

**4.6 Power, Authority and Duty of the Executive Director.** The Commission delegates to the Executive Director all matters necessary for the day-to-day management of Alameda CTC, except matters specifically reserved for the Commission herein. The Executive Director shall, on behalf of Alameda CTC, be responsible for instituting those methods, procedures and systems of operations and management which, in his/her discretion, shall best accomplish the mission and goals of Alameda CTC. Without limitation, the Executive Director shall have the power, authority, and duty to do each of the following:

**4.6.1** To serve as the chief executive officer of Alameda CTC and to be responsible to the Commission for the proper administration of all Alameda CTC affairs.

**4.6.2** To prepare and submit an annual budget, and such amendments thereto as may be necessary, to the Commission for its approval.

**4.6.3** To prepare and submit an annual salaries and benefits plan, and such amendments thereto as may be necessary, to the Commission for its approval.

**4.6.4** To administer the personnel system of Alameda CTC, including hiring, controlling, supervising, promoting, transferring, suspending with or without pay or discharging any employee, including but not limited to determination of a staffing plan and determination of each employee's level of salary, subject to conformance with the Annual Budget and the salaries and benefits plan established from time to time by the Commission.

**4.6.5** To prepare periodic reports updating the Commission on financial and project status, as well as other activities of Alameda CTC and Staff.

**4.6.6** To approve and execute contracts on behalf of Alameda CTC following such approvals as may be required hereunder, subject to compliance with the Procurement Policy and any other applicable direction or policy of the Commission, and in accordance with the Annual Budget.

**4.6.7** To see that all rules, regulations, ordinances, policies, procedures and resolutions of Alameda CTC are enforced.

**4.6.8** To accept and consent to deeds or grants conveying any interest in or easement upon real estate to Alameda CTC pursuant to Government Code Section 27281, and to prepare and execute certificates of acceptances therefor from time to time as the Executive Director determines to be in furtherance of the purposes of the Commission. Such authority shall be limited to actions of a ministerial nature necessary to carry out conveyances authorized by the Commission.

**4.6.9** To designate, in writing, the Commission Engineer and such Commission Engineer's authorized delegees. Any such designations will remain in effect until modified or revoked by the Executive Director.

**4.7 Power, Authority and Duty of the Commission Engineer.** The Commission Engineer shall do the following:

**4.7.1** Sign plans for conformance with project requirements and design exceptions.

**4.7.2** Certify matters related to utilities and rights-of-way in connection with right-of-way programs approved by the Commission.

**4.7.3** Approve construction contract change orders (CCOs) and other documents which require, or recommend, the signature of an Alameda CTC representative with a California Professional Civil Engineering license, all in accordance with the applicable construction program manual.

**4.8 Power, Authority and Duty of the Chair and Vice Chair.**

**4.8.1** The Chair shall preside over all Commission Meetings. In the absence of the Chair, the Vice Chair, not the Chair's alternate, shall serve as and have the authority of the Chair. In the event that the Chair knows ~~he/she~~they will be absent from a meeting, the Chair shall notify the Clerk of the Commission prior to the meeting. In the event of absence of both the Chair and Vice Chair or their inability to act, the members present shall select one of their members to act as Chair Pro Tempore, who, while so acting, shall have the authority of the Chair.

**4.8.2** The Chair shall appoint all members, and select the chair and vice~~-~~chair, of each Standing Committee~~.~~ other than the Audit Committee, as further provided in Section 4.9.1.1. In making such appointments, the Chair shall endeavor to include members representing all four geographic areas on each Standing Committee.

**4.8.3** The Chair and Vice Chair shall serve as voting members of each Standing Committee.

**4.8.4** In urgent situations where Commission action is impractical or impossible, the Chair may take and communicate positions on behalf of Alameda CTC regarding legislative matters. The Chair shall report to the Commission and the appropriate Standing Committee at the next meeting of each said body regarding any such actions taken by the Chair.

**4.9 Power, Authority and Duty of the Standing Committees.**

**4.9.1** The following general provisions apply to each of the Standing Committees as appropriate:

**4.9.1.1** All members of the Standing Committees shall be Commission Members, and shall be appointed by the Chair after consultation with the Members and solicitation of information regarding each Member's interests, except for the Audit Committee which ~~will~~ consists of the Chair and Vice Chair of the Commission and the ~~C~~chair of the FAC pursuant to Section 3.16. Appointments to the Standing Committees shall occur when a vacancy occurs, or as otherwise needed or desired. Upon the removal or resignation of a Commission Member, such Commission Member shall cease to be a member of any Standing Committee. If a vacancy occurs on a Standing Committee and such exiting member held the ~~C~~chair or ~~V~~vice ~~C~~chair position of such Standing Committee, the newly appointed member will not automatically be selected as the ~~C~~chair or ~~V~~vice ~~C~~chair of the Standing Committeee. The Chair of the Commission may select any member of the Standing Committee to serve as ~~C~~chair or ~~V~~vice ~~C~~chair of that Standing Committee in accordance with the Chair's authority outlined in subsection 4.8.2 above~~.~~, except as otherwise provided in Section 3.16.

**4.9.1.2** Each Standing Committee, including the Chair and Vice Chair as voting members thereof, shall be limited to eleven total members, so no Committee will constitute a quorum of the Commission.

**4.9.1.3** Each member of a Standing Committee shall carry one non-weighted vote.

**4.9.1.4** The Standing Committees may meet as committees of the whole with respect to the Commission.

**4.9.1.5** Whether or not a Standing Committee meets as a committee of the whole, no recommendation by a Standing Committee shall be deemed an action of the Commission, except with respect to any actions that the Standing Committee may be specifically authorized to approve by the Commission.

**4.9.1.6** Unless specifically stated otherwise, all actions of the Standing Committees are advisory and consist of recommendations to the Commission. If a matter is unable to be voted on by the applicable Standing Committee, including in situations where the Standing Committee is unable to meet quorum requirements or where the urgency of the matter does not allow an opportunity to present the matter to the Standing Committee, the matter may be considered by the Commission without a recommendation from the Standing Committee. If a matter is presented to a Standing Committee but no action is taken due to lack of quorum, the matter may be included as a consent item before the Commission if no Committee members object to the staff recommendation.

**4.9.1.7** All Commission Members shall be notified of the time and date of Standing Committee meetings. However, Commission Members and Alternates who are not members of a given Standing Committee may only attend such meetings as observers, including sitting with other members of public rather than with the Standing Committee members, and neither voting, participating in discussions, nor providing any public comment.

**4.9.1.8** The ~~C~~chair of each Standing Committee~~, as appointed by the Chair of the Commission,~~ shall preside over all meetings of the Standing Committee. In the absence of the ~~C~~chair, the ~~V~~vice ~~C~~chair, not the ~~C~~chair's alternate, shall serve as and have the authority of the ~~C~~chair. In the event that the ~~C~~chair knows ~~he/she~~they will be absent from a Standing Committee meeting, the ~~C~~chair shall notify the Clerk of the Commission prior to the meeting. In the event of absence of both the ~~C~~chair and ~~V~~vice ~~C~~chair or their inability to act, the members present shall select one of their members to act as Chair Pro Tempore, who, while so acting, shall have the authority of the ~~C~~chair.

**4.9.2** The matters within the jurisdiction of the Audit Committee are as follows:

**4.9.2.1** Oversight of financial reporting and disclosure.

**4.9.2.2** Review audit plan with independent auditors.

**4.9.2.3** Report financial or internal control concerns to independent auditor.

**4.9.2.4** Respond to independent auditor inquiries regarding risk and/or potential fraud.

**4.9.2.5** Review the Draft Annual Comprehensive Financial Report annually, including audited financial statements.

**4.9.3** The matters within the jurisdiction of the Finance and Administration Committee (FAC) are as follows:

**4.9.3.1** Alameda CTC operations and performance.

**4.9.3.2** Human resources and personnel policies and procedures.

**4.9.3.3** Administrative Code.

**4.9.3.4** Salaries and benefits.

**4.9.3.5** Procurement policies and procedures.

**4.9.3.6** Procurement of administrative contracts not delegated to the Executive Director.

**4.9.3.7** Contract preference programs for entities such as local business enterprises, small local business enterprises and disadvantaged business enterprises, including consideration of participation reports.

**4.9.3.8** Bid protests and complaints related to administrative contract procurement.

**4.9.3.9** Annual budget and financial reports.

**4.9.3.10** Investment policy and reports.

**4.9.3.11** Audit reports, financial reporting, internal controls and risk management.

**4.9.3.12** Annual work program.

**4.9.3.13** Amendments to the Alameda CTC Joint Powers Agreement.

**4.9.3.14** Other matters as assigned by the Commission or Chair.

**4.9.4** The matters within the jurisdiction of the Planning, Policy and Legislation Committee (PPLC) are as follows:

**4.9.4.1** Congestion Management Program (CMP).

**4.9.4.2** Countywide Transportation Plan (CWTP).

**4.9.4.3** Federal, state, regional and local transportation and land-use planning policies.

**4.9.4.4** Transportation and land use planning studies.

**4.9.4.5** Goods movement plans and studies, partnerships and collaboration, and policy development.

**4.9.4.6** Transit planning studies, collaboration, and policy development.

**4.9.4.7** Amendments to the 1986 Transportation Expenditure Plan, the 2000 Transportation Expenditure Plan or the 2014 Transportation Expenditure Plan, and development of new Expenditure Plans.

**4.9.4.8** Amendments to the VRF Expenditure Plan.

**4.9.4.9** Transit oriented development, priority development areas projects and programs.

**4.9.4.10** Annual legislative program.

**4.9.4.11** State and Federal legislative matters.

**4.9.4.12** General and targeted outreach programs (public information, media relations, and public participation).

**4.9.4.13** Advisory and Independent Watchdog Committees' bylaws, performance and effectiveness.

**4.9.4.14** Programs implementation, including the paratransit services bicycle and pedestrian programs and affordable student transit pass program, (programming of funds for these programs is a function of the Programs and Projects Committee).

**4.9.4.15** Procurement of planning and programs implementation contracts not delegated to the Executive Director.

**4.9.4.16** Other matters as assigned by the Commission or Chair.

**4.9.5** The matters within the jurisdiction of the Programs and Projects Committee (PPC) are as follows:

**4.9.5.1** Programming of local, state, CMA Transportation Improvement Program (TIP), TFCA vehicle registration fee program, Vehicle Registration Fee program, and Expenditure Plan programs and projects.

**4.9.5.2** Local, Regional, state and federally funded projects and funding programs.

**4.9.5.3** Annual Comprehensive Investment Plan for programs and projects.

**4.9.5.4** Funding requests from project sponsors and other eligible recipients.

**4.9.5.5** Funding allocations to the various transportation programs and projects funded from the original Measure B, 2000 Measure B, 2014 Measure BB and the Vehicle Registration Fee.

**4.9.5.6** Eminent domain proceedings, subject to the provisions of Section 4.1.10, pursuant to which resolutions of necessity shall be heard by the Commission without prior Standing Committee review.

**4.9.5.7** Environmental evaluations and certifications, including those associated with serving as a lead agency under CEQA.

**4.9.5.8** Procurement of engineering and construction contracts not delegated to the Executive Director.

**4.9.5.9** Good faith efforts policies and procedures.

**4.9.5.10** Bid protests and complaints regarding engineering and construction contract procurement.

**4.9.5.11** Policies related to the I-580 express lanes.

**4.9.5.12** Other matters as assigned by the Commission or Chair.

## ARTICLE 5
## ADVISORY AND EXTERNAL COMMITTEES

**5.1 Advisory Committee Bylaws.** The Commission shall be responsible for adopting and amending the bylaws for each Advisory Committee and the Independent Watchdog Committee, as deemed necessary.

**5.2 Alameda County ~~Transportation~~Technical Advisory Committee.** The Alameda County ~~Transportation~~Technical Advisory Committee (ACTAC) shall be composed of staff representatives from the planning and public works departments (where applicable), from each of the following: Alameda CTC, each City, the County, each Member Transit Agency, the Livermore Amador Valley Transit Agency, the Port of Oakland, the Metropolitan Transportation Commission, the Association of Bay Area Governments, Bay Area Air Quality Management District, Union City Transit, California Highway Patrol, Altamont Corridor Express, Bay Area Water Emergency Transportation Authority, and Caltrans. ACTAC may form subcommittees as necessary. The Executive Director or his/her designee shall preside over the meetings of the ACTAC.

**5.3 Bicycle and Pedestrian Advisory Committee.** The BPAC, as originally created by ACTIA and continued by Alameda CTC, advises Alameda CTC on improving walking and biking in Alameda County. BPAC members advise Alameda CTC and staff on the development and implementation of bicycle and pedestrian programs, including a countywide grant program.

The BPAC shall have the membership composition as established by the Commission from time to time, and shall have the specific role(s) set by the Commission and Alameda CTC staff from time to time.

**5.4 Independent Watchdog Committee.** The CWC defined in and required by the 2000 Transportation Expenditure Plan shall continue as the IWC effective as of July 1, 2015. The IWC shall have all duties and obligations of the CWC as described in the 2000 Transportation Expenditure Plan with respect thereto, shall have all duties and obligations of the IWC with respect to the 2014 Transportation Expenditure Plan keeping within the budget adopted by the Commission, and shall have the membership required by such Expenditure Plans.

**5.5 Paratransit Advisory and Planning Committee.** The PAPCO makes recommendations on transportation funding for seniors and people with disabilities to address planning and coordination issues regarding paratransit services in Alameda County. PAPCO members advise Alameda CTC on the development and implementation of paratransit programs, including a grant program. The PAPCO shall have the membership composition as established by the Commission from time to time, and shall have the specific role(s) set by the Commission and Alameda CTC staff from time to time.

**5.6 Other Advisory Committees.** The Commission shall establish and appoint such Advisory Committees as it deems necessary, and as may be required by the Expenditure Plans or applicable statutes.

**5.7 Compensation of Advisory Committee and Independent Watchdog Committee Members.** Any person appointed as a member, and participating as a voting representative at a meeting of, any Advisory Committee or the Independent Watchdog Committee or any required outreach meeting of said Committees shall have the right to be compensated at the rate of $50 for each such meeting. Notwithstanding the foregoing, no compensation shall be payable hereunder to any representative of ACTAC.

**5.8 Geographic Area Meetings.** Meetings of representatives (including Commission Members, Alternates and ACTAC members) from a Geographic Area may be called on an as-needed basis by the Chair, the Executive Director, or by two or more Commission Members from a Geographic Area. Such meetings are intended to provide an opportunity to discuss matters of common interest and to advise the Commission on matters affecting the Geographic Area.

**5.9 Staff Support.** The Executive Director shall designate one or more Staff members to aid each Advisory Committee and the Independent Watchdog Committee in its work.

**5.10 Representation on External Committees and Agencies.** The Chair or the Commission may designate either Commission Members, Alternates, or members of Staff, as may be deemed appropriate, to serve as the designated representative(s) of Alameda CTC on any outside committees or agencies. Such representative(s) shall make a good faith effort to represent the position of the Commission on any matter on which the Commission has taken an official position or has otherwise taken formal action. Such appointments shall include provisions for the designation of alternates and of term of the appointment where appropriate. Attendance at conferences or social gatherings does not constitute an external or outside committee or external agency for purposes of this subsection.

## ARTICLE 6
## PARTICIPATION IN TELECONFERENCE MEETINGS

**6.1 Brown Act.** Due to the COVID-19 pandemic, the Brown Act has been amended to facilitate remote and hybrid meetings using teleconference and/or video facilities, and further Brown Act amendments regarding such meetings may be adopted by the Legislature in the future. The provisions in this Article 6 are intended to guide participation by members in Commission, Standing Committee, Advisory Committee, and Independent Watchdog Committee meetings. The provisions of the Brown Act as it may be amended from time to time shall control over any contrary provision of this Article 6.

**6.2 Commissioners and Committee Members' Participation Should Reflect Presence.** To the extent practical, Commissioners, Alternates, and members of Advisory Committees and the Independent Watchdog Committee participating in meetings remotely should appear both by video and audio, to ensure that the Clerk (or other staff facilitating the meeting) and members of the public watching the meeting can fully identify the participants in each meeting. This is especially important while speaking, making or seconding a motion, or casting a vote. If a Commissioner or committee member is participating through Zoom or other remote meeting platform but unable to use the camera for technical or practical reasons, the Clerk (or other staff facilitating the meeting) shall verify the participant's identity and ensure that the participant's name is displayed. If a Commissioner or committee member is participating only by phone, the Clerk (or other staff facilitating the meeting) shall verify the participant's identity when admitting the member into the meeting. All participants on video or otherwise identified by the Clerk (or other staff facilitating the meeting) shall count towards the quorum and are eligible to vote.

**6.3 Making or Seconding Motions.** To facilitate the taking of minutes, meeting participants should say their last name after making or seconding a motion, but the motion or second shall count and be valid even if the participant does not so identify themselves if the Clerk (or other staff facilitating the meeting) is able to discern the identity of the maker or seconder.

**6.4 Casting Votes.** All teleconference votes must be taken by roll call, as required by the Brown Act. If a Commissioner or committee member is participating on video by Zoom or other remote meeting platform and a participant's audio is not working, the participant may vote by a physical "thumbs up" or "thumbs down" gesture visible to the camera. Votes may not be cast by email, text message, or through the use of the remote meeting platform chat function.

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# Memorandum 8.3

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

| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Vivek Bhat, Director of Programming and Project Controls<br>John Nguyen, Principal Transportation Planner<br>Jacki Taylor, Principal Program Analyst |
| **SUBJECT:** | Approve the 2024 Comprehensive Investment Plan - One Bay Area Grant Cycle 3 Project Nomination List |

## Recommendation

It is recommended that the Commission approve the recommended project nominations for federal One Bay Area Grant Cycle 3 (OBAG 3) County Program funding, due to the Metropolitan Transportation Commission by September 30, 2022.

## Summary

This item is an action item requesting approval of the Alameda County's OBAG 3 Project Nomination List (Attachment A) that will be forwarded to the Metropolitan Transportation Commission (MTC) for consideration for OBAG 3 County Program funding.

On May 10, 2022, Alameda CTC released a Call for Projects for the 2024 Comprehensive Investment Plan (CIP), with a total of $150.8 million in combined Measure B, Measure BB, Vehicle Registration Fee (VRF), Transportation Fund for Clean Air (TFCA), and federal One Bay Area Grant Cycle 3 (OBAG 3) discretionary program funds available for bicycle/pedestrian, complete streets, and transit-related improvements within Alameda County. In response to this call, by the application due date of June 30, 2022, Alameda CTC received 52 applications with funding requests totaling approximately $262.6 million (Attachment C).

In order to align with the required programming procedures and timelines of the available sources, Alameda CTC's 2024 CIP programming recommendations will be presented through a three step process with three separate Commission actions, as folllows:

1. In September (this item): Alameda CTC staff recommends an OBAG 3 list of Project Nominations to be sent to MTC for funding consideration in alignment with MTC's deadline of September 30, 2022. See Attachment A – OBAG 3 Project Nomination

List. MTC will then evaluate Alameda County's project nominations against project nominations from the other Bay Area counties and adopt a final OBAG 3 County program of projects by January 31, 2023.

2. In October, Alameda CTC staff will provide a recommendation for the FY 2022-23 TFCA program.
3. In the Spring 2023, following MTC's final OBAG 3 programming decision and the FY 2022-23 TFCA approval, staff will provide a recommendation for the remaining local CIP fund sources.

For the OBAG 3 County program, MTC requires each Bay Area County Transportation Agency (CTA) to nominate a list of projects and programs that will then be evaluated regionally by MTC. Alameda CTC evaluated the 35 eligible OBAG 3 applications received during the 2024 CIP Call for Projects against the Commission-approved criteria for the 2024 CIP/OBAG 3 program. From this evaluation, Alameda CTC staff is recommending the OBAG 3 Project Nomination List (Attachment A) to be forwarded MTC for consideration. This includes $71.3M in new project nominations and $11.5M of previous Commission-approved programming for Alameda CTC's Countywide OBAG 3 priorities. MTC will evaluate Alameda County's nominations against the nominations from the other Bay Area counties and adopt a final OBAG 3 County program of projects by January 2023.

The rankings of the 35 projects evaluated for OBAG 3 funding are reflected in Attachment B. In addition to identifying a contingency list, any of the projects shown in Attachment B that are not nominated or not ultimately approved by MTC for OBAG 3 funding will continue to be included in the 2024 CIP evaluation process for the available local CIP funding sources.

**Background**

Funding administered by Alameda CTC is programmed and allocated through the Alameda CTC's Comprehensive Investment Plan (CIP). The CIP programming process consolidates multiple funding sources into a singular programming cycle. The CIP's purpose is to strategically program funds towards transportation investments that support the vision and goals of the Alameda CTC's Countywide Transportation Plan, multi-modal plans, and voter-approved transportation expenditure plans. The CIP includes a five-year programming horizon, with the first two years of the CIP reflecting the allocation period.

On May 10, 2022, Alameda CTC released the 2024 CIP Call for Projects which also included MTC's federal OBAG 3 funds. The 2024 CIP includes funding sources targeted towards bicycle/pedestrian, complete streets, and transit-related improvements within Alameda County that can be implemented from FYs 2023-24 through 2027-28, with a limited amount of TFCA and OBAG 3 funding available for use in FY 2022-23. The 2024 CIP application period closed on June 30, 2022. Alameda CTC received a total of 52 applications requesting approximately $262.6 million (Attachment C).

The 2024 CIP Programming Fund Estimate is $150.8M and is summarized in Table 1 below:

| Table 1: 2024 CIP Programming Fund Estimate | | |
|---|---|---|
| **Program Source** | **Fund Sources** | **Amount** (in millions) |
| Local Funds | Measure B/BB and Vehicle Registration Fee | $63.M |
| | Transportation Fund for Clean Air (TFCA) | $5.0M |
| | **Total Local Funds** | **$68.0M** |
| Federal OBAG 3 Funding Target (STBG/ CMAQ) | OBAG 3 Funding Target Available for Call for Projects | $71.3M |
| | OBAG 3 previously approved by Commission for Alameda CTC Countywide Planning / SR2S Priorities on 4/28/22. *($2.6M Planning and $8.9M SR2S)* | $11.5M |
| | **Total OBAG 3 Funding Target** | **$82.8M** |
| | **2024 CIP Fund Estimate Grand Total** | **$150.8M** |

2024 CIP and OBAG Programming Process

In order to align with the required programming procedures and timelines of the available sources, Alameda CTC's 2024 CIP programming recommendations will be presented presented through a three step process with three separate Commission actions, as folllows:

1. In September (this item): Alameda CTC staff recommends an OBAG 3 list of Project Nominations to be sent to MTC for funding consideration in alignment with MTC's deadline of September 30, 2022. See Attachment A – OBAG 3 Project Nomination List. MTC will then evaluate Alameda County's project nominations with project nominations from the other Bay Area counties and adopt a final OBAG 3 County program of projects by January 31, 2023.
2. In October, Alameda CTC staff will provide a recommendation for the FY 2022-23 TFCA program.
3. In the Spring 2023, following MTC's final OBAG 3 programming decision and the FY 2022-23 TFCA approval, staff will provide a recommendation for the remaining local CIP fund sources.

OBAG 3 Program

*Funding Target and Countywide Priorities*

Per MTC's adopted OBAG 3 Framework, by September 30, 2022, MTC requires County Transportation Agencies (CTAs), including Alameda CTC, to develop county-level project nominations for MTC's consideration against an established target amount. The fund estimate target for the OBAG 3 program is $82.8M, and reflects 120% of the Alameda County target share of the OBAG 3 program. Of the total $82.8M, $71.3M is available to all eligible applicants through the 2024 CIP Call for Projects. The remaining $11.5M was previously approved by the Commission on April 28, 2022 for continuing countywide OBAG funding priorities: Alameda CTC Countywide Planning and the Countywide Safe Routes to School (SR2S) Program.

*OBAG Evaluation*

For the OBAG 3 program, Alameda CTC received 35 applications requesting to be considered for federal OBAG 3 funds, totaling $197 million. Approximately 75% of these requests were for bicycle/pedestrian improvements, with the remaining 25% aimed at transit capital improvements.

OBAG 3 funding is targeted towards PDA-supportive transportation investments, with MTC requiring a minimum of 70% of OBAG 3-nominated projects to be located within or serve PDAs. As defined by MTC, a PDA supportive project must be located within or connected to a PDA, or be within one mile of a PDA boundary.

CTAs are required to incorporate MTC's OBAG 3 evaluation criteria into the project evaluation process. The OBAG 3 criteria includes evaluating a project's benefit and advancement of MTC's Plan Bay Area 2050 vision and goals, equity priority communities, other priority areas (i.e., priority development, transit-rich and priority production areas), federal performance measures, housing and growth strategies, community support, and project readiness/deliverability. When evaluating for readiness/deliverability, MTC requires consideration of a project sponsor's past federal funding delivery performance during prior OBAG cycles to be factored into the evaluation.

For the projects evaluated for OBAG 3, applications were first screened for consistency with the 2020 Countywide Transportation Plan and evaluated by Alameda CTC Planning and Programming staff based on the Commission-approved criteria for the 2024 CIP and OBAG 3 program, adopted in April 2022. In addition to the required MTC criteria, the 2024 CIP criteria considers project need and benefits (with an emphasis on Equity Priority Communities, the Bicycle and Pedestrian High Injury Networks, and safety), project readiness, and leveraging. For these projects, the MTC OBAG 3 criteria and the 2024 CIP criteria are each 50% of the project score, as approved by the Commission. At the regional level, the county-level evaluation will count towards 75% of the MTC regional score and MTC's own evaluation will account for 25%.

*OBAG 3 Project Nominations*

Alameda CTC staff is recommending the project nominations included in Attachment A – OBAG 3 Project Nomination List. The recommended OBAG 3 Project Nomination List includes funding for bicycle/pedestrian and transit categories which are commensurate with the requests received in each category. The recommendation also considers MTC's emphasis on bicycle/pedestrian-related improvements for the OBAG 3 program and the other sources of funding available through the 2024 CIP program. The ranking of the 35 OBAG 3 candidate projects is included in Attachment B – OBAG 3 Project Nominations Ranking. In the event additional funding capacity within the OBAG 3 program becomes available, additional projects will be considered for nomination, starting with the three contingency projects identified in Attachment B, with any additional projects considered primarily by the order of their ranking, among other considerations such as federal funding readiness and deliverability.

The following Table 2 - OBAG 3 Project Nomination Summary depicts the program capacity and the OBAG 3 nominations within each category.

| Table 2: OBAG 3 Project Nominations Summary | | | | | | |
|---|---|---|---|---|---|---|
| **OBAG 3 Program Capacity** | | **OBAG 3 Nomination Recommendations** | | | | |
| | **Target Amount** | **Bike/Ped Amount** | **Transit Amount** | **CW Planning / SR2S** | **Total Nomination** |
| OBAG 3 Funding Target Available to All Eligible Applicants | $71.3 | $59.3 | $12.0 | $ - | $71.3 |
| OBAG 3 Alameda CTC CW Planning / SR2S *(Approved 4/28/22)* | $11.5 | $ - | $ - | $11.5 | $11.5 |
| **TOTAL OBAG 3** | **$82.8** | **$59.3** | **$12.0** | **$11.5** | **$82.8** |

Alameda County's OBAG 3 Project Nomination List (Attachment A) contains a total of 10 projects recommended for $71.3 million, plus the $11.5 million previously approved programming for Alameda CTC's Countywide Planning and Safe Routes to School priorities. The recommended OBAG 3 Project Nomination List will promote Alameda CTC's Countywide planning objectives and MTC's regional priorities. The OBAG 3 project nominations include investments in the follow areas:

- 100 percent of the OBAG 3 nominated projects are within or serve PDAs, which exceeds MTC's minimum PDA investment requirement of 70 percent;
- 85 percent of the nominated projects directly benefit or help address the Countywide Bicycle/Pedestrian High Injury Network; and
- 81 percent of the nominated projects directly benefit Equity Priority Communities.

### Next Steps

CTA-approved OBAG 3 nominated project lists and supporting documentation are due to MTC by September 30, 2022. During September, the sponsors of the recommended OBAG 3 projects, as well as the sponosrs of the first few contingency projects, will be requested to provide final, complete MTC OBAG 3 applications for submittal to MTC, which include the BPAC-reviewed complete streets checklists and a supplemental form for CMAQ-eligible projects. Upon the Commission approval of the Alameda County's OBAG 3 Project Nomination List, Alameda CTC will forward the nomination list and supporting documentation to MTC by September 30, 2022. MTC will conduct its regional evaluation of the County OBAG 3 nominations by December, and in January 2023 will adopt a final OBAG

3 County program of projects. Resolutions of local support for the MTC-approved OBAG 3 projects will be due in February 2023 and sponsors will have until December 2023 to come into full compliance with the remaining OBAG 3 program requirements.

Following MTC's final OBAG 3 program adoption, Alameda CTC will finalize the programming recommendations for the remaining local discretionary Measure B/BB, VRF and TFCA funds available through the 2024 CIP and present a complete, consolidated 2024 CIP recommendation to the Commission by June 2023.

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

**Attachments**

A. OBAG 3 Project Nomination List
B. OBAG 3 Project Nominations and Ranking by Category
C. Summary of 2024 CIP Applications Received

## 2024 Comprehensive Investment Plan
## One Bay Area Grant Cycle 3 Program Nominations

### BICYCLE/PEDESTRIAN

| Rank | Project Sponsor | Application Title [1] | Amount Requested | Total Project Cost | OBAG 3 Nomination Amount |
|---|---|---|---|---|---|
| 1 | ACPWA | Mission Boulevard Phase III Corridor Improvements | $ 9,657,000 | $ 32,700,000 | **$ 9,657,000** |
| 2 | Alameda CTC | San Pablo Avenue Safety/Bus Bulbs Project | $ 10,000,000 | $ 22,740,000 | **$ 10,000,000** |
| 3 | ACPWA | Upper San Lorenzo Creekway | $ 9,621,500 | $ 14,882,776 | **$ 9,621,500** |
| 4 | Alameda CTC | San Pablo Avenue Parallel Bike Project | $ 10,000,000 | $ 16,825,000 | **$ 10,000,000** |
| 5 | Alameda | Citywide High-priority Roundabouts [2] | $ 9,259,000 | $ 13,458,000 | **$ 2,325,000** |
| 6 | Newark | Old Town PDA Road Diet and Complete Street Improvement Project | $ 5,140,850 | $ 9,347,000 | **$ 5,140,850** |
| 7 | BATA | West Oakland Link | $ 4,200,000 | $ 65,000,000 | **$ 4,200,000** |
| 8 | Pleasanton | West Las Positas Boulevard Multimodal Reconstruction | $ 10,000,000 | $ 22,200,000 | **$ 8,400,000** |
| | | **SUBTOTAL BICYCLE/PEDESTRIAN** | **$ 67,878,350** | **$ 197,152,776** | **$ 59,344,350** |

### TRANSIT

| Rank | Project Sponsor | Application Title | Amount Requested | Total Project Cost | OBAG 3 Nomination Amount |
|---|---|---|---|---|---|
| 1 | Alameda CTC | San Pablo Avenue Bus/Bike Lanes Project | $ 10,000,000 | $ 72,876,000 | **$ 10,000,000** |
| 2 | AC Transit | Fruitvale Corridor [3] | $ 3,723,000 | $ 4,967,000 | **$ 2,000,000** |
| | | **SUBTOTAL TRANSIT** | **$ 13,723,000** | **$ 77,843,000** | **$ 12,000,000** |

### Previously OBAG 3 Programming - Commission Approved 4/28/22

| No. | Project Sponsor | Application Title | Amount Requested | Total Project Cost | OBAG 3 Amount |
|---|---|---|---|---|---|
| 1 | Alameda CTC | Countywide Planning/Safe Routes to School Priorities | $ 11,500,000 | $ 11,500,000 | **$ 11,500,000** |

| | Amount Requested | Total Project Cost | OBAG 3 Amount |
|---|---|---|---|
| **Total OBAG 3 Bike/Ped and Transit Program Nominations** | **$ 81,601,350** | **$ 274,995,776** | **$ 71,344,350** |
| **Total Previously Approved OBAG 3 Programming** | **$ 11,500,000** | **$ 11,500,000** | **$ 11,500,000** |
| **TOTAL OBAG 3 PROGRAM** | **$ 93,101,350** | **$ 286,495,776** | **$ 82,844,350** |

Notes:
1. Projects not nominated for OBAG 3 funding and OBAG 3 nominated projects not awarded funds by MTC will continue to be considered for the available local 2024 CIP funding sources.
2. The ranking for Alameda's High-priority Roundabouts reflects the readiness of the Central Avenue roundabout and the funding recommnded is the amount needed for the Central Ave roundabout.
3. The funding recommendaton for AC Transit's Fruitvale Corridor Transit Signal Priority is constrained by the OBAG 3 funding target.

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## 2024 Comprehensive Investment Plan
## One Bay Area Grant Cycle 3 Program Nominations by Category

| BICYCLE/PEDESTRIAN | | | | | |
|---|---|---|---|---|---|
| **Rank** | **Project Sponsor** | **Application Title** [1] | **Amount Requested** | **Total Project Cost** | **OBAG 3 Nomination Amount** |
| 1 | ACPWA | Mission Boulevard Phase III Corridor Improvements | $ 9,657,000 | $ 32,700,000 | **$ 9,657,000** |
| 2 | Alameda CTC | San Pablo Avenue Safety/Bus Bulbs Project | $ 10,000,000 | $ 22,740,000 | **$ 10,000,000** |
| 3 | ACPWA | Upper San Lorenzo Creekway | $ 9,621,500 | $ 14,882,776 | **$ 9,621,500** |
| 4 | Alameda CTC | San Pablo Avenue Parallel Bike Project | $ 10,000,000 | $ 16,825,000 | **$ 10,000,000** |
| 5 | Alameda | Citywide High-priority Roundabouts [2] | $ 9,259,000 | $ 13,458,000 | **$ 2,325,000** |
| 6 | Newark | Old Town PDA Road Diet and Complete Street Improvement Project | $ 5,140,850 | $ 9,347,000 | **$ 5,140,850** |
| 7 | BATA | West Oakland Link | $ 4,200,000 | $ 65,000,000 | **$ 4,200,000** |
| 8 | Pleasanton | West Las Positas Boulevard Multimodal Reconstruction | $ 10,000,000 | $ 22,200,000 | **$ 8,400,000** |
| 9 | Alameda | Lincoln Avenue/Marshall Way/Pacific Avenue Corridor Improvement Project [3] | $ 9,991,000 | $ 14,692,000 | **$ -** |
| 10 | Oakland | 27th Street and Bay Place Project [3] | $ 8,301,000 | $ 13,482,000 | **$ -** |
| 11 | Fremont | I-880/Decoto Interchange Modernization Project [3] | $ 10,000,000 | $ 24,500,000 | **$ -** |
| 12 | Oakland | 66th Avenue BART to Bay Trail | $ 10,000,000 | $ 19,291,000 | **$ -** |
| 13 | Fremont | East Bay Greenway Trail (Irvington to Fremont BART) | $ 6,822,000 | $ 9,157,000 | **$ -** |
| 14 | Fremont | Fremont Boulevard/Walnut Avenue Bikeway Project | $ 9,306,000 | $ 12,483,000 | **$ -** |
| 15 | EBRPD | Oakland Bay Trail Extension | $ 1,100,000 | $ 2,500,000 | **$ -** |
| 16 | Oakland | LAAMPS Phase Two | $ 6,734,000 | $ 9,620,000 | **$ -** |
| 17 | San Leandro | Lewelling Boulevard Streetscape | $ 2,207,000 | $ 2,943,000 | **$ -** |
| 18 | Union City | Union City Dyer Street Rehab Project Phase II | $ 1,000,000 | $ 1,340,000 | **$ -** |
| 19 | San Leandro | Hesperian Boulevard Bike Lane Gap Closure | $ 1,050,000 | $ 1,400,000 | **$ -** |
| 20 | San Leandro | Fairway Drive Traffic Calming | $ 777,000 | $ 1,036,000 | **$ -** |
| 21 | Dublin | Village Parkway Complete Street Improvements | $ 8,950,000 | $ 12,630,000 | **$ -** |
| 22 | San Leandro | BART to Downtown San Leandro Pedestrian Enhancements | $ 578,000 | $ 771,000 | **$ -** |
| 23 | Piedmont | Piedmont Pedestrian Safety Project | $ 500,000 | $ 666,000 | **$ -** |
| 24 | EBRPD | Tassajara Creek Trail Extension to Dublin-Pleasanton BART | $ 912,500 | $ 1,400,000 | **$ -** |
| 25 | Dublin | Iron Horse Nature Park and Open Space | $ 1,800,000 | $ 2,571,000 | **$ -** |
| | | **SUBTOTAL BICYCLE/PEDESTRIAN** | **$ 147,906,850** | **$ 327,634,776** | **$ 59,344,350** |

## 2024 Comprehensive Investment Plan
## One Bay Area Grant Cycle 3 Program Nominations by Category

| TRANSIT | | | | | |
|---|---|---|---|---|---|
| **Rank** | **Project Sponsor** | **Application Title [1]** | **Amount Requested** | **Total Project Cost** | **OBAG 3 Nomination Amount** |
| 1 | Alameda CTC | San Pablo Avenue Bus/Bike Lanes Project | $ 10,000,000 | $ 72,876,000 | **$ 10,000,000** |
| 2 | AC Transit | Fruitvale Corridor [4] | $ 3,723,000 | $ 4,967,000 | **$ 2,000,000** |
| 3 | Berkeley | Water Transportation / Ferry Project | $ 5,138,685 | $ 10,277,370 | $ - |
| 4 | AC Transit | High-Priority Bus Stop Improvements Project | $ 2,626,000 | $ 3,500,000 | $ - |
| 5 | BART | MacArthur BART Station Elevator Modernization | $ 7,500,000 | $ 10,000,000 | $ - |
| 6 | AC Transit | Foothill Corridor | $ 750,000 | $ 1,000,000 | $ - |
| 7 | BART | 19th Street BART Station Elevator Modernization | $ 7,500,000 | $ 10,000,000 | $ - |
| 8 | BART | 12th Street BART Station Elevator Modernization | $ 7,500,000 | $ 10,000,000 | $ - |
| 9 | AC Transit | District-Wide Security Systems Upgrade | $ 3,514,000 | $ 4,685,000 | $ - |
| 10 | AC Transit | Fremont Cloud Based TSP Pilot | $ 600,000 | $ 800,000 | $ - |
| | | **SUBTOTAL TRANSIT** | **$ 48,851,685** | **$ 128,105,370** | **$ 12,000,000** |
| | | **TOTAL OBAG 3 PROGRAM** | **$ 196,758,535** | **$ 455,740,146** | **$ 71,344,350** |

Notes:
1. Projects not nominated for OBAG 3 funding and OBAG 3 nominated projects not awarded funds by MTC will continue to be considered for the available local 2024 CIP funding sources.
2. The ranking for Alameda's High-priority Roundabouts project reflects the readiness of the Central Avenue roundabout and the funding recommnded reflects the neeed for the Central Ave roundabout.
3. The three bike/ped projects ranking 9-11, sponsored by Alameda, Oakland and Fremont are designated as OBAG 3 contingency projects.
4. The funding recommendaton for AC Transit's Fruitvale Corridor Transit Signal Priority is constrained by the OBAG 3 funding target.

## 2024 Comprehensive Investment Plan Applications Received
**Sorted by Funding Requested (OBAG 3 and Local)**

| Category | # of Apps |
|---|---|
| Requested OBAG 3 | 35 |
| Requested Local Funds Only | 17 |
| **Total** | **52** |

**Requested OBAG 3 Funding** [1]

| Index | Project Sponsor | Project Title | Amount Requested |
|---|---|---|---|
| 1 | Alameda CTC | San Pablo Avenue Safety/Bus Bulbs Project | $ 10,000,000 |
| 2 | Alameda CTC | San Pablo Avenue Bus/Bike Lanes Project | $ 10,000,000 |
| 3 | Alameda CTC | San Pablo Avenue Parallel Bike Project | $ 10,000,000 |
| 4 | AC Transit | District-Wide Security Systems Upgrade | $ 3,514,000 |
| 5 | AC Transit | High-Priority Bus Stop Replacements | $ 2,626,000 |
| 6 | AC Transit | Foothill Corridor | $ 750,000 |
| 7 | AC Transit | Fruitvale Corridor | $ 3,723,000 |
| 8 | AC Transit | Fremont Cloud Based TSP Pilot | $ 600,000 |
| 9 | BART | 12th Street BART Station Elevator Modernization | $ 7,500,000 |
| 10 | BART | 19th Street BART Station Elevator Modernization | $ 7,500,000 |
| 11 | BART | MacArthur BART Station Elevator Modernization | $ 7,500,000 |
| 12 | Bay Area Toll Authority | West Oakland Link | $ 4,200,000 |
| 13 | City of Alameda | Citywide High-priority Roundabouts | $ 9,259,000 |
| 14 | City of Alameda | Lincoln Avenue/Marshall Way/Pacific Avenue Corridor Improvement Project | $ 9,991,000 |
| 15 | City of Berkeley | Water Transportation / Ferry Project | $ 5,138,685 |
| 16 | City of Dublin | Iron Horse Nature Park and Open Space | $ 1,800,000 |
| 17 | City of Dublin | Village Parkway Complete Street Improvements | $ 8,950,000 |
| 18 | City of Fremont | Fremont Boulevard/Walnut Avenue Bikeway Project | $ 9,306,000 |
| 19 | City of Fremont | East Bay Greenway Trail (Irvington to Fremont BART) | $ 6,822,000 |
| 20 | City of Fremont | I-880/Decoto Interchange Modernization Project | $ 10,000,000 |
| 21 | City of Newark | Old Town PDA Road Diet and Complete Street Improvement Project | $ 5,140,850 |
| 22 | City of Oakland | 66th Avenue BART to Bay Trail | $ 10,000,000 |
| 23 | City of Oakland | 27th Street and Bay Place Project | $ 8,301,000 |
| 24 | City of Oakland | LAAMPS Phase Two | $ 6,734,000 |
| 25 | City of Piedmont | Piedmont Pedestrian Safety Project | $ 500,000 |
| 26 | City of Pleasanton | West Las Positas Boulevard Multimodal Reconstruction | $ 10,000,000 |
| 27 | City of San Leandro | Hesperian Boulevard Bike Lane Gap Closure | $ 1,050,000 |
| 28 | City of San Leandro | Lewelling Boulevard Streetscape | $ 2,207,000 |
| 29 | City of San Leandro | BART to Downtown San Leandro Pedestrian Enhancements | $ 578,000 |
| 30 | City of San Leandro | Fairway Drive Traffic Calming | $ 777,000 |
| 31 | City of Union City | Union City Dyer Street Rehab Project Phase II | $ 1,000,000 |
| 32 | County of Alameda - Public Works | Mission Boulevard Phase III Corridor Improvements | $ 9,657,000 |
| 33 | County of Alameda - Public Works | Upper San Lorenzo Creekway | $ 9,621,500 |
| 34 | East Bay Regional Park District | Oakland Bay Trail Extension | $ 1,100,000 |
| 35 | East Bay Regional Park District | Tassajara Creek Trail Extension to Dublin-Pleasanton BART | $ 912,500 |
| | | **Subtotal** | **$ 196,758,535** |

**Requested Local Funds Only**

| No. | Project Sponsor | Project Title | Amount Requested |
|---|---|---|---|
| 1 | Alameda CTC | East Bay Greenway Phase 1, Multimodal | $ 10,000,000 |
| 2 | BART | Lake Merritt TOD | $ 10,000,000 |
| 3 | BART | West Oakland BART TOD & Station Modernization | $ 10,000,000 |
| 4 | City of Alameda | Alameda-Oakland Estuary Water Shuttle Pilot Program | $ 1,000,000 |
| 5 | City of Berkeley | Adeline Corridor Project at Ashby BART Station | $ 600,000 |
| 6 | City of Berkeley | Citywide Bicycle Boulevard Crossing Improvement Project | $ 999,000 |
| 7 | City of Dublin | Tassajara Rd Widening from N. Dublin Ranch Drive to Quarry Lane School | $ 1,000,000 |
| 8 | City of Dublin | Dublin/Pleasanton BART Station Active Access Improvements | $ 8,405,000 |
| 9 | City of Emeryville | Emery Go-Round Operating Expenses (FY26-FY27 and FY27-28) | $ 1,000,000 |
| 10 | City of Emeryville | Doyle Bicycle Improvements - Phase 3 | $ 354,000 |
| 11 | City of Emeryville | Shellmound Christie Loop | $ 1,155,000 |
| 12 | City of Emeryville | Stanford Corridor Enhancement Study | $ 1,875,000 |
| 13 | City of Emeryville | 40th Multimodal Improvements project | $ 8,376,000 |
| 14 | City of Livermore | Vasco Road Widening Project No. 2018-37 | $ 2,748,600 |
| 15 | City of San Leandro | LINKS Shuttle | $ 331,000 |
| 16 | City of Union City | Union City Boulevard Bike Lanes Project | $ 5,000,000 |
| 17 | Livermore Amador Valley Transit | Atlantis Operations and Administration Building | $ 3,000,000 |
| | | **Subtotal** | **$ 65,843,600** |

**TOTAL** **$ 262,602,135**

**Notes:**

1. Applications requesting OBAG 3 funding will also be considered for the available local 2024 CIP funding sources.

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ALAMEDA COUNTY TRANSPORTATION COMMISSION

2024 Comprehensive Investment Plan

# One Bay Area Grant Cycle 3 Project Nominations

A presentation by
Alameda CTC Staff
September 2022

## Comprehensive Investment Plan (CIP)

- Coordinates the programming of the various fund sources administered by or programmed through Alameda CTC (e.g., Measure B/BB, VRF, TFCA, OBAG, STIP)
- Includes strategic investments supporting countywide vision and goals
- Spans a five-year programming horizon, with a two-year allocation window

## 2024 CIP/OBAG 3 Call for Projects - Funding

| Fund Source | Fund Program | Amount (in millions) |
|---|---|---|
| Alameda CTC Local Sources | Measure B/BB and Vehicle Registration Fee (VRF) | $63.0 |
| | Transportation Fund for Clean Air (TFCA) | $5.0 |
| | **Total Local Funds** | **$68.0** |
| OBAG 3 Funding Target (STBG/CMAQ) | OBAG 3 Funding Target Available for Call for Projects | $71.3 |
| | OBAG 3 for Alameda CTC Countywide Planning/SR2S Priorities, Commission approved 4/28/22 *($2.6M Planning and $8.9M SR2S)* | $11.5 |
| | **Total OBAG 3 Funding Target** | **$82.8** |
| | **2024 CIP Fund Estimate Grand Total** | **$150.8** |



## 2024 CIP/OBAG Applications Received

| Program Eligibility | Number of Applications | Amount Requested (Millions) |
|---|---|---|
| Requested federal funding/OBAG 3 consideration* | 35 | $196.8 |
| Requested only 2024 CIP local funding sources | 17 | $65.8 |
| **Total** | **52** | **$262.6** |

** Projects were evaluated for OBAG 3 funds based on Project Sponsor's application request for federal OBAG funding consideration.*

## 2024 CIP Three-Step Programming Process

**Step 1- Today's Action**

**OBAG 3 Actions**

Alameda CTC Staff Recommendation and Commission-adoption of OBAG 3 Project Nomination List due to MTC 9/30/22

MTC adopts OBAG 3 Program for Region

September 2022 | October 2022 | Jan/Feb 2023 | Spring 2023

**Step 2**

Alameda CTC Staff Provides TFCA Recommendation

**TFCA Action**

**Step 3**

Alameda CTC Staff Provides 2024 CIP/OBAG Recommendation

**2024 CIP Action**



## 2024 CIP Project Selection Criteria

*(Commission Adopted, April 28, 2022)*

| General CIP Criteria | Score Scale | Criteria Weight |
|---|---|---|
| **A. Project Readiness** | **45** | **45%** |
| **B. Project Need/Benefits:** | | |
| *B.1 - General Benefits* (connectivity, access, state of good repair, environment, innovation, economic growth) | *20.0* | *20%* |
| *B.2 - Access Improvements / Equity Priority Communities* | *10.0* | *10%* |
| *B.3 - Safety Benefits* | *7.5* | *7.5%* |
| *B.4 - High Injury Network (HIN)* | *7.5* | *7.5%* |
| **Total Need/ Benefits** | **45** | **45%** |
| **C. Matching Funds** | **10** | **10%** |
| **Total** | **100** | **100%** |

# 2024 CIP Project Selection Criteria

*(Commission Adopted, April 28, 2022)*

| OBAG 3 Criteria | Score Scale | Criteria Weight |
|---|---|---|
| 1. Alameda CTC General CIP Criteria | 100 | 50% |
| 2. MTC-Required OBAG 3 Criteria | | |
| 2a. Priority Development Area (PDA), Transit Rich Areas (TRA), Priority Production Area (PPA) Supportive Investments | 10 | 50% |
| 2b. Housing and Growth Policies | 10 | |
| 2c. Equity Priority Communities Benefits | 10 | |
| 2d. Federal Performance Management Requirements | 10 | |
| 2e. Plan Bay Area 2050 Strategies | 10 | |
| 2f. Regional Consistency *(with other regional plans and policies such as Vision Zero)* | 10 | |
| 2g. Community Support | 10 | |
| 2h. Project Readiness/Deliverability | 10 | |
| **Total** | **180** | **100%** |



# Projects Nominated for MTC's OBAG 3 Funds

(Attachment A)

| OBAG 3 Programming Capacity | Recommended OBAG 3 Nominations (8 Bike/Ped and 2 Transit Projects) (in Millions) | | | | |
|---|---|---|---|---|---|
| **120% Target Amount** | **Bike/Ped Projects** | **Transit Projects** | **Sub-total Nominated** | **Countywide Planning/SR2S Priorities** | **Total Nominated** |
| **$82.8** | $59.3 | $12.0 | $71.3 | $11.5 | **$82.8** |

- *Projects not nominated for OBAG 3 funding and OBAG 3 nominated projects not awarded funds by MTC will continue to be considered for the available local 2024 CIP funding sources.*

# Projects Nominated for MTC's OBAG 3 Funds

## Bicycle & Pedestrian Projects

| Rank | Agency | Project Title | OBAG 3 $ (Millions) |
|---|---|---|---|
| 1 | Alameda County | Mission Boulevard Phase III Corridor Improvements | $9.7 |
| 2 | Alameda CTC | San Pablo Avenue Safety/Bus Bulbs Project | $10.0 |
| 3 | Alameda County | Upper San Lorenzo Creekway | $9.6 |
| 4 | Alameda CTC | San Pablo Avenue Parallel Bike Project | $10.0 |
| 5 | Alameda | Citywide High-priority Roundabouts (Central Ave.) | $2.3 |
| 6 | Newark | Old Town PDA Road Diet and Complete Street Improvements | $5.1 |
| 7 | Bay Area Toll Authority (BATA) | West Oakland Link | $4.2 |
| 8 | Pleasanton | West Las Positas Boulevard Multimodal Reconstruction | $8.4 |
| | | **Total OBAG 3 Bike/Ped Nominations** | **$59.3** |



# Projects Nominated for MTC's OBAG 3 Funds

## Transit Projects

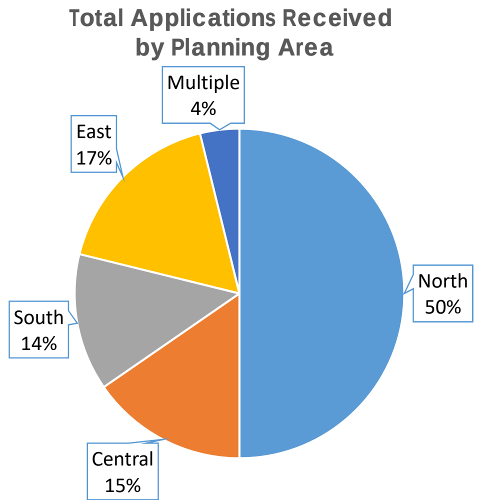
| Rank | Agency | Project Title | OBAG 3 $ (Millions) |
|---|---|---|---|
| 1 | Alameda CTC | San Pablo Avenue Bus/Bike Lanes Project | $10.0 |
| 2 | AC Transit | Fruitvale Corridor (Transit Signal Priority) | $2.0 |
| | | **Total OBAG 3 Transit Nominations** | **$12.0** |

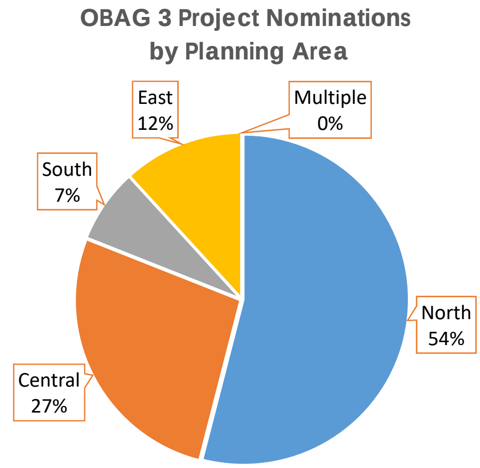
# OBAG 3 Contingency Projects

| Agency | Project Title | Funding Request (Millions) |
|---|---|---|
| Alameda | Lincoln Avenue/Marshall Way/Pacific Avenue Corridor Improvement Project | $9.9 |
| Oakland | 27th Street and Bay Place Project | $8.3 |
| Fremont | I-880/Decoto Interchange Modernization Project | $10.0 |



# OBAG 3 Nominations - Distribution



# OBAG 3 Nominations - Highlights

- All OBAG 3 nominations are consistent with MTC's requirements.
- All OBAG 3 nominated projects are within or serve Priority Development Areas.
- 85 percent directly benefit/help address the Countywide Bicycle/Pedestrian High Injury Network.
- 81 percent directly benefit Equity Priority Communities.



# 2024 CIP Programming Schedule

| Date | Milestone |
|---|---|
| April 28, 2022 | Commission adopted 2024 CIP/OBAG 3 guidelines and scoring criteria/weighting, OBAG 3 funding priorities, and call for projects release |
| June 30, 2022 | 2024 CIP/OBAG 3 applications were due |
| **September 2022 (Step 1)** | **OBAG 3 Nominations - staff recommendations to Commission**<br>• Commission-approved OBAG 3 nominations due to MTC by September 30, 2022 |
| October 2022 (Step 2) | TFCA - staff recommendations to Commission |
| January 2023 (Step 3) | MTC adopts OBAG 3 Program<br>• OBAG 3 Resolutions of Local Support due to MTC late February 2023 |
| Spring 2023 | 2024 CIP - staff recommendations to Commission |

# Recommendation

- Approve Alameda County's OBAG 3 Project Nomination List to be forwarded by September 30th to MTC for funding consideration.

ALAMEDA County Transportation Commission

# Memorandum

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| | |
|---|---|
| **DATE:** | September 15, 2022 |
| **TO:** | Alameda County Transportation Commission |
| **FROM:** | Tess Lengyel, Executive Director |
| **SUBJECT:** | Approve a New Executive Director Contract, Conduct a Performance Evaluation for 2022 and Establish Objectives for 2023 |

## Recommendation

The FAC met on September 12, 2022 and recommended that the Commission support a new contract with the Executive Director and approve a subcommittee of three members, including Chair Bauters, Vice Chair Ortiz and Commissioner Nason, to negotiate a new contract with the Executive Director and bring it to the Commission for approval in October 2022. The FAC conducted a performance evaluation and reviewed the 2023 Executive Director goals and provided positive comments on the Executive Director's performance. The Executive Director's current three-year contract expires on December 31, 2022. Benefits provided to the Executive Director are the same as those provided for all staff as shown in Attachment C, in addition to phone and transport benefits listed below.

## Preface

I would like to preface this new contract recommendation and evaluation by extending my appreciation to the Commission for your extensive work this year in supporting the agency's robust workplan in planning, programming, project and program delivery, on-going fiscal accountability and agency administration. It is an honor to serve you and the public. I would also like to appreciate the professionalism, dedication and excellence the Alameda CTC staff bring to all the work performed at Alameda CTC. This past year resulted in significant achievements in all areas at the agency. It has been a pleasure working so closely with the Chair, Vice-Chair, and all members of the Commission in delivering our promises to voters for multimodal projects and programs, expanding equity, supporting youth, seniors and disabled with affordable transportation choices, implementing elements of our long-range countywide transportation plan, and creating good jobs.

While the COVID-19 pandemic uncertainty continued over the past year, I am proud of the quality, effectiveness and productivity of the Commission and staff, which continue to successfully fulfill the agency's mission with their work. We have effectively implemented planning efforts and are designing and constructing projects that expand safety and multimodal opportunities. We have expanded affordable transportation programs for students, seniors and people with disabilities, and leveraged local dollars to attract state and federal funds, while also serving as a reliable funding source to our cities, transit operators and county partners in delivering local services and projects.

Over the past year, Alameda CTC continued to significantly leverage funds to advance major transportation infrastructure into construction and serve as a catalyst for economic development. The Commission conducted state and federal legislative meetings to support our projects and policies, and we have been rewarded with several competitive grants and allocations at the state and federal levels for project and program delivery. The Commission adopted a new 400-mile bikeway network and is poised to adopt an agency-wide equity statement and a new Race and Equity Action Plan to expand equity in all aspects of the agency.

Alameda CTC was reaffirmed a AAA rating this year for the 2000 Measure B bonds, and we received a Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association of the United States and Canada (GFOA) for our Annual Comprehensive Financial Report (ACFR), for the year ended on June 30, 2021. We received new AAA ratings for the 2014 Measure BB bonds from Fitch Ratings and Standard & Poor's, and we achieved the first-ever bond financing for the 2014 Measure BB sales tax. We concluded the 2000 Measure B sales tax and made a final payment in March on debt related to that measure. Internally, we have done extensive work on staff engagement with a solid Culture and Engagement Committee (CEC) that has helped the agency staff strengthen cohesion, despite a remote office setting during the pandemic. The CEC has also played a major role in office re-entry this year and continues to lead staff on culture and engagement efforts supporting an inside-out approach to diversity, culture and excellence.

The Commission has successfully addressed many challenging transportation-related issues this year, crafted important policy direction and conducted effective advocacy to move projects and programs into fruition. I am proud to serve you and to work with staff to bring you sound technical analyses and recommendations to inform your policy discussions and decisions. You continue to be one of the highest performing governing boards and transportation organizations in this region.

Below are achievements in the areas of project delivery, programming, planning, programs implementation, express lanes operations, fiscal stewardship, partnership building and agency administration, as summarized in Attachment A, and the proposed initiatives for 2023, as shown in Attachment B.

The current Executive Director's employment agreement expires on December 31, 2022, and the FAC recommendation is to support a new contract with the Executive Director and establish a three-person committee comprised of Chair Bauters, Vice-Chair Ortiz and Commissioner Nason to negotiate a new contract to bring directly to the October 2022 Commission meeting for approval. The employment agreement states that the Executive

Director shall be entitled to receive all of the benefits provided by Alameda CTC to other employees, which are updated on an annual basis in November/December. The most recent staff report and approved benefit resolution for all employees is included as Attachment C. In addition, the Executive Director receives an auto allowance of $600 per month, reimbursement for fuel and/or transit expenses incurred related to Alameda CTC's business, and $150 per month in place of a mobile phone provided by Alameda CTC. Comparable salary survey data prepared by Koff & Associates is included in Attachment D related to the new contract.

### Summary

Alameda CTC's employment agreement with the Executive Director calls for an annual performance evaluation by the Finance and Administration Committee, which is then to be reported to the full Commission. The employment agreement calls for the Executive Director to provide the Committee with a self-evaluation as a first step in the evaluation process. The Executive Director's self-evaluation is included in Attachment A under the following categories: project delivery, programming, planning, programs implementation, express lanes operations, fiscal stewardship, partnership building and agency administration.

Over this past year, under the Commission's leadership and direction, I have led the agency in accomplishing many significant achievements which met the Commission's overarching goals to plan, fund, and deliver projects and programs to improve mobility and access throughout Alameda County. The many accomplishments and on-going services performed by Alameda CTC's exemplary staff are detailed in Attachment A. Attachment B includes proposed initiatives for 2023.

### 2022 Key Accomplishment Highlights Include:

✓ **Project Delivery**: Alameda CTC achieved significant advancement of voter approved transportation projects.

- Five construction projects valued over $570 million are underway in 2022, including: Gilman Interchange Phases 1 and 2; I-680/84 Interchange and Route 84 construction; I-680 Gap closure project (award of the project in September); and Freight ITS construction moves into final phases.
- GoPort project design is complete on 7th Street East and negotiations with UPRR are concluding; a request for CTC fund allocation will be submitted this fall.
- Oakland Alameda Access Project advances into design.
- San Pablo Avenue and East Bay Greenway/E14th/Mission Boulevard Projects advance initial safety projects, community engagement and near-term project development.
- Phase 1A Rail Safety Enhancement Program advances environmental and design and receives a $25 million federal grant.
- Mission Boulevard/State Route 262 moves into the environmental phase.
- Major project development milestones have been achieved and five projects are slated to complete environmental clearance by the end of 2022 and early 2023,

including the Ashby Ave Interchange, Whipple Rd/Industrial Pkwy Interchange (supporting access for goods movement to one of the largest warehousing areas in the county), Winton Ave/A St Interchange, Rail Safety Enhancement projects and the near-term East Bay Greenway projects.
- Numerous other projects continue to advance scoping, environmental clearance and design. Project closeout is underway.

✓ **Programming/Leveraging Measure B/BB Dollars**: Alameda CTC has conducted extensive programming activities this year resulting in significant fund leveraging:
- Over $25 million awarded to Alameda CTC from federal funding sources this year.
- New grant and funding strategy developed for state and federal funding and grant applications for over $425 million (submitted or underway for this year); we are awaiting results on several grants.
- 2024 Comprehensive Investment Plan (CIP) developed and call for projects released for $150.8 million in new funding for projects throughout Alameda County. Evaluating 52 CIP applications seeking over $262 million. Part 1 funding recommendations to Commission in September.
- Inaugural 2014 Measure BB financing achieved for over $140 million to advance projects.
- Strategic Plan updates and cashflow development and enhanced project controls.

✓ **Planning & Policy**: The Planning and Policy Team facilitated advancement of many agency goals as outlined in the adopted Countywide Transportation Plan, developed key policies and studies, and supported development of the Chair's goals:
- Commission Retreat conducted in February.
- Advancement of Equity Work, including new agency equity statement, Race and Equity Action Plan and new Equitable Outreach Guide (development underway).
- Development of new 400-Mile Bikeway Network (adopted in May 2022) and in Design Guidelines to Commission this fall.
- Adoption of San Pablo and East Bay Greenway/East 14th/Mission Boulevard project concepts; funding applications development.
- Multiple studies underway: I-580 Transit and Multimodal Strategy; I-80 Design Alternative Analysis; new Comprehensive Multimodal Corridor Plans in multiple areas of the county to ensure project eligibility for state funding.
- Development of Draft Climate and Transportation Action Plan (for Commission consideration this fall).
- Development of PDA Investment and Growth Strategy.
- On-going Multi-modal Monitoring and Performance Reporting.
- Regional collaboration on Plan Bay Area implementation.
- Policy and grant advocacy during state and federal legislative visits (including in-person in Washington, DC) with delegation and agency staff members, resulting in support of Alameda CTC grant applications and funding.
- Spanish and English videos of Chair and Vice-Chair on how to use bus, bike on bus and the Clipper Card.

✓ **Programs implementation**: Alameda CTC continued to implement and expand programs supporting affordable transportation to students, seniors and people with disabilities:

- Affordable Student Transit Pass Program expands to new schools throughout Alameda County and supports on-going schools and transit operators with school re-entry. A fourth year of program expansion is underway this fall 2022 that will serve 15 school districts and 133 schools in Alameda County.
- Safe Routes to Schools Program provided extensive countywide programs, such as International Walk and Roll to School, Ride to the Moon, Golden Sneaker Contest, Student Safety Training with bike/pedestrian rodeos, BikeMobile and Drive Your Bike; provided technical assistance to schools a new mini-grant program and school site safety assessments.
- Senior and Disabled Transportation services included expanded Meals on Wheels services; coordination with the Alameda County Public Health Department for transportation to vaccination sites; an update to the one-stop Access Alameda Guide, technical support and program plan review.

✓ **Express Lanes Operation**: Alameda CTC operates some of the most extensive express lanes in the Bay Area. This year, we completed new contracts with MTC/BATA; conducted a new system integrator contractor procurement; will open interim tolling on I-680; amended the Sunol JPA agreement; revised fees and penalties for increased affordability and regionwide consistency (September item).

✓ **Fiscal Stewardship**: Alameda CTC continued to ensure full agency financial accountability and stewardship and achieved new awards, AAA ratings and completed a Measure BB bond issuance:

- Award for Excellence in Financial Reporting from the GFOA for the Annual Comprehensive Financial Report for the year ended June 30, 2021 received in August 2022.
- Received reaffirmation of AAA rating from Fitch Ratings for the Measure B Bonds.
- New AAA ratings achieved from Fitch Ratings and Standard & Poor for the Measure BB bonds issued in 2022
- Financing achieved for over $140 million to advance Measure BB projects.
- Clean audit expected in September 2022 from independent auditors for the fiscal year ended June 30, 2022.
- Developed fiscally sound mid-year budget update and a new balanced, sustainable budget for FY2022-23 which enables agency administration, planning, projects and programs to move forward.
- Closed out 2000 Measure B and paid final debt payment for the measure in March 2022.

✓ **Partnership Building**: Alameda CTC staff and I continued to serve on a multitude of Technical Advisory and Executive Steering Committees at the regional and state levels, including, but not limited to Caltrans special task forces for the Bipartisan Infrastructure Bill; CALCOG, including my appointment by peers to the CALCOG legislative committee; MTC All Lane Tolling Committee; and the Bay Area County Transportation Agencies (BACTA), the 9-county transportation agencies, which meet monthly and coordinate around Bay Area planning, policy and delivery. In addition, I have served as a panel lead on the Self-Help County Coalition, WTS International, and state panels coordinating with Caltrans and the California Transportation Commission.

✓ **Agency Administration**: Efficient agency administration is essential for performing the extensive work under way at Alameda CTC. We have been fully operational and effective during COVID-19, including our strategic approach to remote work, office re-entry, and development of a COVID-19 Protection Plan and Agency Re-entry Plan; established staffing reorganization to support work plan; conducted new hires to fill positions and address workload; provided Commission and Committee support; integrating Diversity, Equity and Inclusion into all aspects of work; upgraded document controls with new systems, protocols and implementation of new document control methods; implemented technology advancements for expanded public access to Commission meetings and agenda management; approved conference room audio/visual upgrades and building upgrades; negotiated a new building lease through 2034; furthered internal agency process improvements; supported Culture and Engagement Committee to enhance staff engagement and cohesion; and performed on-going contracting and procurement to support jobs creation.

The Executive Director's current contract expires on December 31, 2022. The employment agreement states that the Executive Director will receive all of the benefits provided by Alameda CTC to other employees, which are included in Attachment C, along with an auto allowance of $600 per month, including reimbursement for fuel and/or transit expenses incurred related to Alameda CTC business, and $150 per month in place of a mobile phone provided by Alameda CTC. Attachment D is the most recent salary survey of other comparable transportation agencies for Executive Director positions completed by Koff & Associates and includes both the Commission-approved salary range at Alameda CTC as well as my current salary. Under my employment agreement, an annual performance evaluation is required to be completed by September 30 of each year.

**Fiscal Impact:** The salary and benefits for the Executive Director's contract is within the approved FY2022-23 salary range and agency budget.

**Attachments:**

A. Goal Evaluation and Status of the Executive Director's Objectives for 2022
B. Next Year (2023) Objectives
C. Staff and Retiree Benefits Resolution
D. Salary Comparisons

**ATTACHMENT A**

## Executive Director Performance Evaluation
## Summary of Executive Director's Key Initiatives in 2022

Alameda CTC's employment agreement with the Executive Director calls for an annual performance evaluation by the Finance and Administration Committee and requires the Executive Director to perform a Self-Evaluation as part of the review process. The following provides a summary of my self-evaluation of key initiatives this year in table format followed by more detailed descriptions and specific accomplishments.

| Key Initiatives | 2022 STATUS |
|---|---|
| **Project Delivery** | |
| ***1. Move voter approved projects into construction; advance existing construction projects; conduct groundbreaking and ribbon cutting events for projects*** | ***Initiative Met*** |
| a. I-80/Gilman Interchange Safety Improvement Project (Phases 1 and 2) move into construction | Initiative Met; ribbon cutting event held for Phase 1; Phases 1 & 2 under construction |
| a. GoPort Freight ITS System Integration | On-going construction; completion targeted for end of 2022 |
| b. Route 84 and I-680/Route 84 Interchange Project | Initiative Met; on-going construction |
| c. I-680 Express Lanes Gap Closure Project from Route 84 to Contra Costa County Line advance into construction | Initiative Met. Construction bids received in July; award in September 2022 |
| d. Port of Oakland's Seventh Street Grade Separation Project | CTC Construction allocation and advertisement anticipated in fall 2022 |
| ***2. Advance major capital projects into next developmental phase*** | ***Initiative Met*** |
| a. Rail Safety Enhancement Project | Environmental and Design advanced; $25 million federal grant award received |
| b. East Bay Greenway | Initiative Met. Environmental clearance for near-term to be completed by end of 2022 |
| c. San Pablo Avenue Multimodal Corridor Improvement Project | Initiative Met. Near term projects defined; environmental clearance underway |

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| d. East 14th Street/Mission/Fremont Boulevard Multimodal Corridor Improvement Project | Initiative Met. Project integrated with East Bay Greenway: short term safety design projects; transit and bike ped rapid implementation projects; economic development strategy |
| e. Oakland-Alameda Access Project | Initiative Met. Project advanced into design |
| f. I-80 Ashby Avenue Interchange Modernization and Bicycle and Pedestrian Improvement Project | Initiative Met. Environmental document completion anticipated by end of 2022 |
| g. Bay Bridge Forward Projects for Transit Priority and Bike Link | Initiative Met. MTC is project lead; ACTC support for project funding |
| h. Industrial/Whipple Interchange Modernization | Initiative Met; environmental clearance expected by end of 2022 |
| i. Winton/A Interchange Modernization | Initiative Met; environmental clearance expected by end of 2022 |
| j. Mission Boulevard/State Route 262 Project | Initiative Met. Project advanced into environmental clearance phase |
| k. Dublin North Canyons Multimodal Corridor Improvement | Initiative Met. Advanced design on corridor. |
| l. Other capital projects in transportation expenditure plans | On-going advancement of projects |
| ***3. Oversee the delivery and implementation of Measure B and Measure BB sales tax-funded and other externally funded projects*** | ***Initiative Met*** |
| **Programming** | **Initiative Met** |
| 4. Actively pursue funding to significantly leverage Measure B and BB Sales Tax dollars for projects and programs through partnerships and grants: Over $25 million in federal funds awarded to Alameda CTC in 2022, and grants/programming requests submitted/will be submitted this year valued at $425 million (some due in fall) | Initiative Met |
| 5. Major California Transportation Commission actions funding ACTC projects, including FITS, I-680 Gap closure Project, Gilman Interchange | Initiative Met |
| 6. Develop and release 2024 CIP Call for Projects, including new evaluation criteria, integration with One Bay Area Grant and TFCA Funding | Initiative Met |

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| 7. Establish Strategic Plan approach and updates | Initiative Met |
| 8. Extend COVID-19 eligibility for seniors and people with disabilities | Initiative Met |
| 9. Implement MTC's Safe and Seamless Quick-Strike Program | Initiative Met |
| 10. Meals on Wheels for Seniors and People with Disabilities, extend eligibility | Initiative Met |
| **Planning** | **Initiative Met** |
| 11. Implement strategies identified and adopted in the 2020 Countywide Transportation Plan to advance safety, equity and projects and programs for transportation 2020 and beyond | Initiative Met |
| 12. Develop and complete Priority Development Area Investment and Growth Strategy and submit to MTC | Initiative Met |
| 13. Advance equity in planning and programs implementation. | Initiative Met |
| 14. Advance Safety: Multimodal corridor scoping advancement on High Injury Network Corridors, including San Pablo Avenue and East 14$^{th}$ Mission/Fremont Boulevard | Initiative Met |
| 15. Advance Safety: Advance the Rail Safety program from planning into project delivery | Initiative Met |
| 16. Advance Bay Bridge Forward projects for transit priority improvements and bike LINK project and Sustainable I-580. | Initiative Met |
| 17. Expand the Affordable Student Transit Pass program and Safe Routes to Schools Program, improve program delivery efficiencies and adjust to schools needs during school re-entry and post re-entry | Initiative Met |
| 18. Seek innovation and efficiencies in the delivery of the Paratransit Program. | Initiative Met |
| **Fiscal Stewardship and Transparent Financial Reporting** | **Initiative Met** |
| 19. Develop a sustainable and balanced FY2022-23 operating and capital budget for Commission adoption. | Initiative Met |
| 20. Produce and submit agency's Annual Comprehensive Financial Report to the Government Finance Officers | Initiative Met. Award Achieved. |

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| Association for Excellence in Finance and Accounting and transparency award. | |
| 21. Obtain financing for funding project delivery. | Initiative Met. Bonds sold for over $140 million in June and closed on July 14, 2022 |
| 22. Ensure on-going procurements that support economic recovery, jobs and support of local and small businesses | Initiative Met. Almost $60 million in contracts processed; meeting contracting goals |
| 23. Obtain an unqualified opinion from an independent financial auditor for FY2021-22. | Initiative expected in September 2022 |
| **Partnerships and Advocacy** | **Initiative Met** |
| 24. Actively strengthen partnerships with cities, the County, and transit operators to provide mutual assistance and technical assistance in the areas of project delivery, funding advocacy, and planning | Initiative Met |
| 25. Actively engage in the development of regional and county-wide policies on sustainable transportation and land use strategies. Strengthen working relationship with major transit operators to improve mass transit services and support transit priority in projects and programs. | Initiative Met |
| 26. Develop and implement a legislative program and outreach strategy to guide Alameda CTC's advocacy at the regional, state and federal levels. | Initiative Met |
| 27. Advocate for new/enhanced transportation funding in regional, statewide, and national forums | Initiative Met |
| 28. Participate in and take an active role in statewide and regional forums and discussions that may have a potential impact on the functions of Alameda CTC. | Initiative Met |
| **Agency Administration** | **Initiative Met** |
| 29. Lead, manage, organize, and ensure efficient implementation of all on-going activities and services in the agency work program | Initiative Met |
| 30. Continue to develop and strengthen a working environment where staff are empowered, engaged, collaborative, and inspired to fulfill the work of the Commission | Initiative Met |
| 31. Continue to develop, mentor and invest in all agency staff for continual quality of agency work products, services, and decisions | Initiative Met |

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| 32. Strategically implement the organizational structure to ensure that all critical positions are filled with the best talent and retention of high-quality staff | Initiative Met |
| 33. Provide on-going high-quality support to the Commission | Initiative Met |
| 34. Advance Alameda CTC as a leader in transportation excellence through innovation, delivery and efficient operations | Initiative Met |

## Detailed Executive Director Self Evaluation

Over the past year, the agency, under the Commission's leadership and direction, has accomplished many significant milestones to meet the Commission's overarching goals which are to plan, fund, and deliver projects and programs to improve mobility and access and create a vibrant and livable Alameda County. Despite on-going operations under a fully remote condition in response to the COVID-19 pandemic coupled with a hybrid re-entry, Alameda CTC continued to deliver an extensive array of accomplishments and on-going services, which are further detailed below, including project delivery, programming, planning, programs implementation, express lanes operations, fiscal stewardship, partnership building and agency administration.

1. **Project Delivery: Direct Oversight and Management of major complex capital program comprised of over 125 capital projects**: Alameda CTC continues to fulfill its commitment to voters to deliver projects and programs. This year, I have continued to work very closely with Alameda CTC's projects delivery team in the development, coordination, oversight and management of project implementation as approved by three transportation expenditure plans. These projects are funded in part with local sales tax dollars which are leveraged with regional, state and federal funds for a project portfolio value of over $8 billion. I am proud of our continued delivery as promised to voters, and in particular over the last year in advancing specific projects identified in the transportation expenditure plans into the next delivery phases. The agency has been actively delivering and managing some of the largest and most complex capital projects in the Bay Area, including many significant corridor projects that traverse city, county and regional boundaries and link transportation, housing and jobs; highway modernization projects in major commute and goods movement corridors; Port projects; and major bicycle and pedestrian safety improvements on the county's High Injury Network (HIN) and rail safety improvements. The agency has also been providing project management oversight on large sales tax funded projects to ensure cost control and that scheduled milestones are met and are compliant with Commission-adopted funding policies and state and federal grant requirements. The agency's leadership on project delivery has resulted in meeting significant milestones for the following noteworthy projects:

- ***<u>Construction</u>***: Alameda CTC continues to advance voter-approved construction projects this year with five major projects in construction:

  - **I-80/Gilman Avenue Interchange Construction Projects for Phases 1 and 2 (two separate construction packages):** Alameda CTC, in coordination with our partners, moved forward with two construction phases of the Gilman Interchange project, including continuing construction of the Phase 1 bike and pedestrian overcrossing, and commencement of Phase 2 in July 2022 for the interchange roundabout improvements, local street improvements, the pedestrian and bicycle improvements through the interchange, the Bay Trail gap closure, and rail safety improvements at the Gilman/Union Pacific Railroad at-grade crossing.

  - **State Route 84 and I-680/Route 84 Interchange Improvements:** This project began construction in May 2021 and has continued to meet construction milestones this year. This project includes a new bicycle facility through the interchange connecting east and west bicycle routes in the area. The project is scheduled for completion in 2024.

  - **GoPort Freight Intelligent Transportation Systems (ITS):** This year, we continued construction of the GoPort Freight ITS construction contract, which is the most comprehensive suite of technology systems implemented in any port in California to improve truck traffic flows, increase the efficiency of goods movement operations, and enhance the safety and incident response capabilities throughout the seaport, as well as development of an app to provide real time traffic operation and traffic information and a smart parking system. Construction is on-going and on schedule for completion at the end of 2022.

  - **I-680 Express Lanes between Route 84 and Acosta Boulevard (Gap Closure Project:** Alameda CTC completed design for this voter-approved project one year ahead of schedule to combine the project with a Caltrans highway safety improvement and maintenance project. Alameda CTC developed a combined design package with Caltrans, resulting in local and state coordination that will save the public over $20 million by combining the projects. Project bids we submitted on July 28th and the project will be awarded within 60 days of that date. This will close a gap in the express lanes on I-680 and provide almost 50 miles of express lanes through Contra Costa and Alameda Counties.

- ***<u>Design</u>*****:** Alameda CTC has a pipeline of projects in design that will support job creation and deliver multimodal transportation projects. Below are several projects we have under the design phase, and my team and I are focused on leveraging

Measure BB funds to move these projects into construction once design is complete.

- **Rail Safety:** Safety at rail crossings in Alameda County is an on-going need, and I am pleased to have moved forward with environmental and design services to improve safety throughout Alameda County. The county has high volumes of freight and passenger rail activity, often in close proximity to residential neighborhoods, schools and commercial districts and was identified by the Federal Railroad Administration as having the fourth highest number of trespassing fatalities at railroad right of ways in the nation. The rail safety program will address existing safety issues along rail tracks and mitigate against future safety issues as rail services increase by constructing safety projects at at-grade crossings throughout the county. Alameda CTC has pursued $72 million via state and federal grants and regional funding opportunities, and I am pleased to report that thus far, we have been awarded $25 million in federal Consolidated Rail and Infrastructure Safety funds in June 2022. We continue to pursue state and regional funds to close the final funding need for the project to move it into construction and are submitting a grant for state funds this fall. These safety treatments include: paving, signing, striping, lighting, upgraded traffic signal interconnects, anti-trespassing measures, crossing signals and gates, road and driveway modifications, and potential crossing closures.

- **GoPort Project:** Final design of the 7th Street East Project is complete and all utility agreements prepared. Full funding for the project is in place, and my team and I anticipate completing all agreements with UPRR this summer so we can go to the California Transportation Commission for a construction funding allocation request with the aim of advertising the project this winter.

- **Oakland Alameda Access Project:** This project achieved significant milestones this year, including commencement of project design. I am working closely with my planning, programming and projects team to pursue funding to complete the funding package for this project.

- **East Bay Greenway:** This year the Commission revamped this project to ensure implementation of Phase 1 near-term projects to address bicycle, pedestrian and access to transit on the East 14th/Mission Boulevard Project, which is one of the County's HINs. Alameda CTC applied to the California Transportation Commission for the Cycle 6 Active Transportation Program (ATP) for project construction, and we anticipate hearing final award information by October 2022 for state funded projects and by summer 2023 for projects funded through the regional portion of the ATP Program. In addition, Alameda CTC is developing an application for the state Solutions for Congested Corridors grant program, which is due this fall, for construction funding.

- **San Pablo Avenue Multimodal Corridor:** This year significant progress on the development of the San Pablo Multimodal Corridor was achieved in both the Planning and Project Delivery Departments at Alameda CTC. Design and environmental clearance are underway for near-term improvements for this project, and Alameda CTC has submitted funding requests for federal and state funds for the project.

- **I-880 Interchanges Modernization**: Alameda CTC is finalizing the environmental document and has a consultant on board for design of the I-880 Industrial/Whipple interchanges, which are included in the 2014 Transportation Expenditure Plan, and provide critical access to the largest industrial warehousing area in Alameda County. Alameda CTC is also finalizing the environmental document for the I-880 Winton/A Project.

2. **Programming:** Alameda CTC's Programming Team continues to perform an array of work including leveraging local transportation dollars, as well as developing recommendations for programming local, regional, state and federal funds. I am proud of the extensive amount of work my programming team has undertaken this year to support advancement of projects and on-going programs, as well as supporting local jurisdictions with on-going maintenance, transit and paratransit operations, and bike and pedestrian funding. In addition, the Programming Team continues to work with project sponsors to support COVID-19 responsive programs. The Programming Team also was essential in performing strategic planning and cash flow analyses that informed the inaugural Measure BB Bond sale in June.

   - **Aggressive Leveraging of Local Dollars:** In preparation for the extensive amount of federal funding approved through the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act/IIJA) and the state surplus and grant cycles, I directed the team to prepare an in-house, multi-department approach to strategically develop and submit applications for Alameda CTC projects and programs at the regional, state and federal levels. Alameda CTC is working on a grant and programming strategy seeking over $425 million this year for projects and programs. Already, Alameda CTC was awarded over $25 million this year due to strong partnerships and aggressive grant writing. Alameda CTC is awaiting results for several of these funding opportunities and is in the process of preparing grant applications for submission this fall.

   - **Comprehensive Investment Plan (CIP):** Developed the 2024 CIP Call for Projects providing over $150 million in new funding including local, federal OBAG funds and TFCA funds. This CIP Call for Projects resulted in 52 application submissions to Alameda CTC seeking over $260 million in funding. A recommendation for the OBAG and TFCA portion of funding will be presented to the Commission in September and October, respectively.

- **Strategic Plan and Cashflows:** Updated the Strategic Plan and cashflow project and program needs in coordination with the Finance Team to support the development and inaugural issuance of bonds for the 2014 Measure BB sales tax to further the implementation of projects as promised to voters.

- **On-going COVID-19 Responsiveness through Local Programs**: Successfully coordinated with 19 jurisdictions receiving Measure B and BB Direct Local Distribution funding to support on-going operations, maintenance, transit and paratransit services and bicycle and pedestrian funding, including continuing COVID responsive programs for Meals on Wheels for Seniors and People with Disabilities and transportation to vaccination sites.

- **On-going Programming activities:** In addition to key initiatives above, myriad on-going efforts were undertaken to:
    - Perform strategic plan and cashflow updates
    - Perform programming, monitoring, and reporting activities for multiple types of funding sources with varying guidelines and requirements.
    - Program and allocate funds to the County, cities of Alameda County, and transit operators from the TFCA, VRF, Lifeline Transportation, STIP, and Sales Tax Direct Local Distribution Programs.
    - Monitor and report on the delivery of projects funded with federal, state, regional, and sales tax fund sources.
    - Perform project controls.

3. **Planning/Policy/Government Affairs/Communications:** One of the core functions of the agency is Planning, and I have closely worked with the Alameda CTC Planning Team and am pleased with the extent of significant work that has been accomplished this year on specific planning implementation, legislative events, the Commission Retreat and implementation of goals, early project development and new initiatives. In addition, housed within Planning is the Government Affairs/ Communications Team which has held several events, developed numerous agency videos and developed key background and talking materials for our state and federal advocacy efforts this year, as well as for many events throughout the year. Key achievements this year include:

    - **Commission Retreat:** In February, Alameda CTC conducted a hybrid Commission retreat in downtown Oakland during which the Chair launched several key initiatives, including Equity, Safety and Clean Transportation. The event's themes included focusing on the agency forward into the next generation of transportation improvements; advancing safety, equity and climate; supporting integration of transportation and land use; and partnerships. Guest speakers presented in different segments of the meeting from the region and state addressing common policy goals and priorities at the state, regional and county levels focusing on safety, equity, and climate; a keynote speaker on equity shared an inspiring presentation on the intersectionality of safety, equity and public health and opportunities for moving work forward more equitably; staff presented on Alameda CTC equity and safety efforts; and regional transit and agency partners discussed opportunities for partnerships for clean and green transportation. The retreat served as a focal point to kick off for several initiatives on Equity, Safety and Clean Transportation.

- **Equity:** As an outcome of the Commission retreat and on-going work at Alameda CTC, the Alameda CTC Chair created the Justice, Equity, Diversity and Inclusion ad hoc committee to work on furthering equity at Alameda CTC. As an outcome of this work, an equity statement will be presented to the Commission for adoption in September and a Race and Equity Action Plan and Equitable Outreach Guide are under development and will be brought to the Commission by the end of the year and in the first part of next year, respectively.

- **Safety and New 400-mile Countywide Bikeways Network:** In May, as introduced at the Commission Retreat and building off of the 2019 Countywide Active Transportation Plan (CATP) and the 2020 Countywide Transportation Plan (CTP), staff brought forward and the Commission approved a new 400-mile bikeway network consisting of corridors of countywide significance, which Alameda CTC will use to prioritize resources to build out the network over time, addressing key segments of the county's HIN. Design guidelines and an implementation plan are also part of this effort and these will be brought to the Commission to seek approval this fall.

- **Clean Fuels and Transportation**: As introduced at the Commission Retreat and as an implementation program from the adopted CTP, Alameda CTC will host a clean fuels summit in October 2022 to discuss partnership opportunities to advance clean fuels and transportation in Alameda County. This will include speakers and sessions moderated by commission members.

- **Major Corridors Advancement:** This year we achieved milestones and commenced new initiatives on corridors throughout Alameda County aimed at improving transit, expanding bicycle and pedestrian safety and facilities, and improving technology to manage the system more efficiently, as well as to position the agency and projects to pursue grant funding opportunities.

- **San Pablo Ave Corridor**: This project advanced significantly this year through definition of the near-term projects, approvals from agency partners and advancement into environmental and design phases. This corridor is one of the top three HINs and is one of AC Transit's highest ridership corridors. Major outreach was conducted for the project, including working with focus groups, council members, AC Transit and Alameda CTC Commission members to define a set of near-term projects that address safety and transit priority while supporting the local community. The project environmental and design phases integrate the work of my Planning, Programming and Project Delivery Teams. Grant applications have been prepared and submitted to attract additional funding for the project.

- **East Bay Greenway/E 14th/Mission Blvd Corridor**: Implementing the Commission adopted new vision for the East Bay Greenway/E14th/Mission Corridor for near term improvements to address the HIN on the corridor by implementing protected bikeways and improved access to transit. Grant applications have been submitted for this project, and additional applications are under development for submission this fall.

- **I-580 Transit and Multimodal Strategy**: Launched an I-580 Sustainable Corridor Strategy taking a holistic look at serving existing and growing travel demand in the corridor, from the Bay Bridge to San Joaquin Valley, focusing on VMT-reducing strategies to increase commute choices beyond the single-occupant vehicle as well as strategies that will improve safety, air quality, and equity.

- **I-80 Design Alternatives Assessment:** Serving as a key technical partner to identify transit, park and ride, and potential operational changes on the corridor to support high capacity bus and vanpools along the corridor, mobility hub considerations and Bay Trail connector improvements. Continued collaboration with MTC, CCTA, Caltrans and transit operators for this corridor assessment.

- **Priority Development Area Investment and Growth Strategy (PDAIGS):** Completed the required PDA IGS, which provides information on planned transportation projects in Priority Development Areas (PDAs) in Alameda County and documents housing data, and submitted to MTC by the deadline of January 30, 2022. Alameda County has 48 PDAs, which are locally nominated areas for new development near high quality transit. The regional goal is for these PDAs to accommodate the majority of future housing in the county and region in order to reduce the amount of automobile travel and greenhouse gas emissions associated with new development.

- **DC Legislative Visits:** Successful DC legislative advocacy trip in May with Chair Bauters, Vice Chair Ortiz, Commissioners Dutra-Vernaci and Ezzy Ashcraft and Alameda CTC staff. Effective discussions of Alameda CTC's priorities and our alignment with national efforts and policy priorities, including our pending grant application for the Rail Safety Enhancement Program. Meetings included Senator Dianne Feinstein's staff and Senator Alex Padilla; Representative Eric Swalwell and Representative Ro Khanna's staff,; Members of the Transportation and Infrastructure Committee; the Senate Environment and Public Works Committee; Senate Transportation, Housing, and Urban Development Appropriations Subcommittee; and the Department of Transportation, including the Federal Highway Administration, the Federal Transit Administration and the Federal Rail Administration. One week after this visit, Alameda CTC was informed of a grant award for $25 million for our Rail Safety Enhancement Program.

- **On-going Planning activities:** In addition to key initiatives above, myriad on-going efforts were undertaken to:
  - Develop various technical and monitoring of reports required by the Congestion Management Program (CMP) and its legislation.
  - Manage and maintain CMP data collection and county model.
  - Update website with new transportation planning and safety resources.
  - Support project eligibility for State grants, including development of Comprehensive Multimodal Corridor Plans for State Solutions for Congested Corridors funding.
  - Coordinate and facilitate planning activities among regional and local partnering agencies, including MTC, ABAG, Bay Area CMAs, cities of Alameda County, Alameda County and transit operators.
  - Conduct and participate in various business and community outreach activities.
  - Advocate for policies and legislation in support of transportation and funding for transportation in Alameda County.
  - Develop multiple publications and communications materials.

4. **Programs Implementation:** Alameda CTC administers three countywide transportation programs that support youth, seniors and people with disabilities. These programs support a wide variety of services focused on affordability, access and safety. The following summarizes key highlights the programs accomplished this year.

   - **Affordable Student Transit Pass Program (STPP) – Program Expansion and Continuation**: This marquis program was expanded this year, and we successfully on-boarded new schools and school districts authorized by the Commission despite COVID-19, including:
     - Expanded to additional schools and continued at all existing schools

- Continuous and comprehensive coordination with all three transit agency partners (AC Transit, LAVTA, and Union City Transit) to inform schools of COVID-19 safety protocols while using transit, including coordination for school re-entry this summer.
- The STPP will be entering into a fourth year of program expansion in fall 2022, and will serve 15 school districts and 133 schools in Alameda County. With the current pace of expansion, the program will expand to all eligible schools in Alameda County by fall 2023, which will include over 140 schools and approximately 58,000 students.

- **Safe Routes to Schools (SR2S)**: As the pandemic restrictions subsided, many schools lifted their visitor restrictions to allow in-person assemblies, trainings, and learning opportunities. In response, our Safe Routes to Schools team began to transition programming back to in-person participation while continuing to provide opportunities for online engagement to enhance learning outcomes and boost participation. The program's new online versions of many SR2S program services have increased the program's ability to support student learning styles and are easily accessible to teachers, parents, and caregivers. Over the past year, we held virtual and hybrid events, and trainings which have offered both in-person and virtual options. These included:
  - **Creation for Transportation** "This is How We Do It: The Share Your Journey Contest" (November to February): Creation for Transportation transitioned into an in-person high school event that celebrated students' sustainable transportation choices by offering raffle tickets for students who chose active transportation options to school. The intent of this event was for students to continue learning about the SR2S program, share information with the students' community, encourage participation in the SR2S program, and increase active transportation use amongst high school students.
  - **Golden Sneaker Contest** (February 28 to March 11): Nearly 90 schools throughout Alameda County participated in the 2022 Golden Sneaker Contest, and award winners were honored during an Alameda CTC Commission meeting.
  - **Bike to the Moon Week** (May 9 to 13): This event encouraged students, families, and school staff to track their physical activities, which were converted into "moon miles." The event's participants collectively traveled the 286,900 miles to the moon and beyond for a total of over 310,374 miles thanks to over 900 students from 43 schools. Multiple members of the Commission participated in this event adding to the collective miles traveled throughout the County.
  - The first-ever Alameda County Safe Routes to Schools **Mini-Grant Program** implementation is underway. This program funds infrastructure improvements that were recommended through the SR2S School Safety Assessments process. The SR2S program is currently working on collecting before and after photos of the

improvements. Jurisdictions are currently on schedule for the project completion deadline of June 30, 2023.

- SR2S program staff are currently facilitating annual **Back to School meetings** to begin the new school year. These sessions provide an opportunity for the Safe Routes team to customize our program resources for each individual school; 260 participating schools are currently returning to fully in-person instruction. During these meetings, Safe Routes staff also promote our county-wide annual events with each school.
- We are looking forward to celebrating **International Walk and Roll to School Day** in-person as our first event on Wednesday, October 12, 2022.
- Eight **School Safety Assessments** were completed during the 2021-2022 school year. These assessments brought together school staff, city engineers, Safe Routes planners, and parents to observe arrival or dismissal at each school in order to improve safety for walking and biking at high-traffic times and locations around schools.
- The SR2S program provided engineering **technical assistance** to 14 schools including customized suggested routes to school maps, drop-off/pick-up flyers, and walking school bus flyers.
- **Student education trainings** include the Alameda County BikeMobile, Bike and Pedestrian Rodeos, Drive Your Bike trainings and educational school assembly performances. While many schools were operating in-person during the 2021-22 school year, there were still opportunities to take advantage of new virtual offerings. Service providers and staff continued to develop and improve virtual offerings this year by:
  - Incorporating feedback and requests from school staff into training planning and coordination
  - Creating more opportunity for students to share and exchange their ideas and ask questions with SR2S trainers and their peers
  - Enhancing curriculum with movement and gross motor activity to keep students engaged and help them learn by doing; and
  - Tailoring virtual activities to the attention spans of different age groups

- **Senior and Disabled Transportation**: In response to the on-going COVID-19 pandemic, we continued our Paratransit Advisory and Planning Committee (PAPCO) meetings remotely and successfully conducted the annual program plan review process for PAPCO members to review the upcoming fiscal year's program plans submitted by the transit operators and City programs that will utilize Measure BB funding for transportation for seniors and people with disabilities and made recommendations to the commission for services in FY2022-23. In addition, Alameda CTC hosted a Joint PAPCO and Paratransit Technical Advisory Committee (ParaTAC) meeting titled "Rerouting Our Communications in Alameda County", featuring the state of the system, Eden I&R 2-1-1's efforts at One Call/One Click, and the update to AccessAlameda.org. We provided technical support to cities as they began subsidized TNC pilots and expanded support of Meals on Wheels for seniors and people with disabilities.

5. **Operation and Management of the I-580 and I-680 Express Lane Corridors**: The same staff who serve Alameda CTC also serve the I-680 Sunol Smart Carpool Lane Joint Powers Authority (SSCLJPA), which is an independent joint powers authority created pursuant to Government Code to implement and operate the express lanes on I-680 in Alameda County and a portion of Santa Clara County. In addition to responsibilities for Alameda CTC, I also function as the Executive Director serving the SSCLJPA Board. In this capacity, I plan, direct and oversee the administration, implementation, and operations of the I-680 Express Lane. In addition to operating the express lane on I-680, the agency is also operating the express lanes on I-580. We are one of a few agencies in California that also performs express lanes operations as part of our core functions. We continue to be a leading agency in the Bay Area in the development, implementation, and operations of express lanes. Over the last year, we completed new contracts with MTC/BATA; continued work on an I-680 interim toll facility; coordinated regionally for consistency on reducing fees and penalties; released a procurement for a new toll system integrator on I-680; conducted an update and amendment to the I-680 Sunol JPA Agreement; and advanced the I-680 Gap Closure Project related to express lanes. Alameda CTC also continues regular coordination with regional partners on express bus services on I-680 and I-580.

6. **Fiscal Stewardship and Transparent Financial Reporting:** I am very proud of the extensive and detailed work conducted by the finance team this year. The agency produced another award-winning Annual Comprehensive Financial Report and expects to achieve another clean audit from independent auditors for the fiscal year ended June 30, 2022 in the fall. This year, we achieved AAA ratings from two rating agencies on the Measure BB bond issuance and had a successful bond sale in June. The following are a few highlights:

    - **Balanced Budgets:** Alameda CTC prepared balanced budgets this year to address the agency's projects, programs, planning and administrative needs. Alameda CTC sales tax receipts continue to perform strongly, and the agency has exceeded pre-pandemic sales tax revenue collections.

    - **Annual Comprehensive Financial Report:** Alameda CTC completed the agency's Annual Comprehensive Financial Report (ACFR) in October 2021, which was developed to meet all Government Finance Officers Association (GFOA) requirements for an award for excellence in financial reporting. On August 15, 2022, Alameda CTC received a Certificate of Achievement for Excellence in Financial Reporting from the GFOA making this year's award the 9th in a row since the report produced for the fiscal year ended June 30,

2013. The ACFR was designed to provide transparency and detailed financial information by function so that interested parties can review agency financials readily.

- **Two AAA Ratings and Inaugural Measure BB Bond Financing:** In April 2022, both Fitch Ratings and Standard & Poor's Global Ratings (S&P Global) attributed AAA ratings to the Measure BB sales tax revenue bonds in advance of the agency pursuing financing for capital projects. In June, the Chair, Executive Director and Deputy Executive Director of Finance and Administration traveled to Boston to present information about Alameda CTC and the Measure BB Program to institutional investors prior to our bond sale in New York. We conducted preliminary pricing for the bonds at in New York and sold all our bonds for total proceeds of over $140 million on June 29, 2022. The market's interest in Alameda CTC's bonds exceeded $609 million, resulting in almost five times oversubscription for the bond. Alameda CTC's Measure BB bonds sold below Money Market Data (MMD) in almost all coupon categories, which means Alameda CTC will be paying lower interest over the life of the bonds. Prior to the bond sales, Alameda CTC was able to amend our agreements with the California Department of Tax and Fee Administration to accommodate the bond repayment process.

- **2000 Measure B Expired and Final Debt Payment:** On March 31, 2022, the 2000 Measure B sales tax measure expired and Alameda CTC made the final payment for debt incurred under the 2000 Measure that same month.

7. **Agency Administration**: To ensure we fulfill our work, I continue to lead, manage, coach and develop agency staff at all levels and functions to enhance their skillset and strengthen the organization's capacity and capability to produce, deliver, and adapt to the many imminent changes in transportation policies ahead. As a result of the on-going COVID-19 pandemic, I focused on ensuring the agency continued to successfully work in a remote capacity, providing technical tools, equipment, services and secure server access to continue to fulfill all work requirements of the agency. In addition, I have worked with my teams on development of a hybrid re-entry program, COVID Prevention Plan, new tools to support operations in a hybrid environment, new document controls processes, and office upgrades for hybrid environments and efficiencies. I continue to invest in staff engagement through definition of clear matrices for classification roles and responsibilities and clear pathways for professional growth, and I support our staff with on-going trainings related to agency work and professional development. I strongly support our Culture and Engagement Team, a team for which I solicited volunteers to support diversity, equity, inclusion (DEI) throughout the agency and a positive agency culture focused on staff engagement for a productive working environment. Alameda CTC continues to support local businesses. This year almost $60 million in contracts has been processed thus far, supporting jobs.

In addition to the above, I work closely with my team to ensure that we continue to effectively and efficiently provide on-going Agency Administration Services that:

- Provide support and coordination and prepare reports for Alameda CTC Commission meetings.
- Provide support and coordination and prepare reports for the meetings of Alameda CTC Standing Committees
- Provide support and coordination and prepare reports for the Sunol Smart Carpool Lane Joint Powers Authority meetings.
- Provide support and coordination, conduct analyses and prepare reports for the Community Advisory and Independent committee meetings and their various and many sub-committee meetings.
- Provide support and coordination for the Alameda County Technical Advisory Committee (ACTAC) meetings.
- Conduct analyses and provide information as requested by individual Commissioners, ACTAC members, and various individual Community Advisory and Independent committee members.
- Provide support for and certification to local and small local businesses for contracting purposes and report annually on the agency's utilization and contract awards.

8. **Partnerships:** As the Executive Director, I have continued to strengthen my long-held relationships with partners at the local, regional, state and federal levels. I served on many statewide committees this year for Caltrans and CALCOG. At the regional level, I serve on Bay Area County Transportation Agencies (BACTA), the 9-county transportation agencies, which meets monthly and coordinates planning, policy and delivery around Bay Area. Over the year, I have been requested to serve on or lead panels at the regional and statewide level related to transportation policy and delivery. I also serve as the co-chair of the Transportation and Land Use subcommittee of the East Bay Economic Development Alliance.

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**ATTACHMENT B**

**Alameda County Transportation Commission**

**Executive Director's Initiatives for Next Year 2023**
**September 2022**

## 2023 INITIATIVES

### Capital Project Delivery

1. Actively engage in the management of major and complex transportation projects to ensure progress and on-time and within budget delivery while managing risks. These projects include:
   a. GoPort Program: Seventh Street Grade Separation
   b. Rail Safety Improvements throughout Alameda County
   c. San Pablo Avenue Multimodal Corridor Improvement Project
   d. East Bay Greenway/East 14th Street/Mission Boulevard Multimodal Corridor Improvement Project
   e. Dublin North Canyons Multimodal Corridor Improvement Project
   f. Bay Bridge Forward Projects for Transit Priority and Bike Link & I-80 DAA outcomes
   g. Oakland-Alameda Access Improvements Project
   h. Route 84 and I-680/Route 84 Interchange Project
   i. Mission Boulevard/Route 262 Project
   j. I-80/Gilman Interchange Safety and Bicycle and Pedestrian Safety Project
   k. I-80 Ashby Avenue Interchange Modernization and Bicycle and Pedestrian Improvement Project
   l. I-680 Express Lanes Gap Closure Project from Route 84 to Contra Costa County Line
   m. I-880/Interchanges modernizations Project in Central and South County supporting goods movement
   n. Other capital projects in transportation expenditure plans
2. Oversee the delivery and implementation of Measure B and Measure BB sales tax-funded programs and other externally funded programs in the adopted Comprehensive Investment Plan.

### Planning and Programs Implementation

3. Implement strategies identified and adopted in the 2020 Countywide Transportation Plan to advance projects and programs for transportation 2020 and beyond.
4. Advance equity in all agency activities.
5. Advance safety projects and programs in the county's high injury corridors.
6. Continue to expand the Affordable Student Transit Pass program and Safe Routes to Schools program and improve program delivery efficiencies.
7. Seek innovation and efficiencies in the delivery of the Paratransit program.
8. Expand clean transportation.

9. Monitor and actively engage with MTC/ABAG and other regional and state agencies in the development and implementation of transportation policies.

**Leverage Funding, Partnerships and Advocacy**

10. Actively pursue funding to leverage sales tax and other agency administered funds to deliver projects and programs
11. Actively strengthen partnerships with cities, the County, and transit operators to provide mutual assistance and technical assistance in the areas of project delivery, funding advocacy, and planning.
12. Actively engage in the development of regional and county-wide policies on sustainable transportation and land use strategies.
13. Develop and implement a legislative program and outreach strategy to guide Alameda CTC's advocacy at the regional, state and federal levels.
14. Advocate for new/enhanced transportation funding in regional, statewide, and national forums.
15. Participate in and take an active role in statewide and regional forums and discussions that may have a potential impact on the functions of Alameda CTC.

**Fiscal Management and Stewardship**

16. Develop a sustainable and balanced FY2023-24 operating and capital budget for Commission adoption.
17. Produce an Annual Comprehensive Financial Report and submit to the Government Finance Officers Association for award consideration.
18. Obtain an unqualified opinion from an independent financial auditor for FY2022-23.
19. Ensure on-going procurements that support jobs and local and small businesses.
20. Lead, manage, organize, and ensure efficient implementation of all on-going activities and services in the agency work program.

**Organizational Excellence**

21. Continue to develop and strengthen a working environment where staff are empowered, engaged, collaborative, and inspired to fulfill the work of Alameda CTC.
22. Continue to develop, mentor and invest in all agency staff for continual quantity of agency work product, services, and decisions.
23. Strategically implement the organizational structure to ensure that all critical positions are filled with the best talent and retention of high-quality staff.
24. Provide on-going high-quality support to the Commission.
25. Advance Alameda CTC as a leader in transportation excellence through innovation, delivery and efficient operations.

ALAMEDA County Transportation Commission

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# ALAMEDA COUNTY TRANSPORTATION COMMISSION

## RESOLUTION 21-016

## Fiscal Year 2022-23 Salaries and Calendar Year 2022 Benefits for Staff Members

**WHEREAS**, Alameda County Transportation Commission, hereinafter referred to as Alameda CTC, was created pursuant to a joint powers agreement ("Joint Powers Agreement") entered into among the 14 cities in Alameda County, the County of Alameda, the Bay Area Rapid Transit District, the Alameda-Contra Costa Transit District, the Alameda County Transportation Improvement Authority ("ACTIA"), and the Alameda County Congestion Management Agency ("ACCMA");

**WHEREAS**, Alameda CTC is empowered by the Joint Powers Agreement to carry out numerous transportation planning, programming and construction functions and responsibilities, including all historical functions and powers of ACTIA and ACCMA;

**WHEREAS**, Alameda CTC is authorized under Sections 11 and 13 of the Joint Powers Agreement to appoint and retain staff as necessary to fulfill its powers, duties and responsibilities;

**WHEREAS**, Alameda CTC previously adopted Resolution 20-012, thereby establishing a consistent set of benefits and leave policies, and this Resolution is intended to supersede and replace such Resolution 20-012; and

**NOW, THEREFORE, BE IT RESOLVED** that Alameda CTC staff salaries ranges for July 1, 2022 through June 30, 2023 and employment benefits for January 1, 2022 through December 31, 2022, are hereby adopted, and are herein set forth.

### 1. Salaries

1.1 An employee shall be compensated at a rate set between or equal to the minimum (min) and maximum (max) of the range specified in Attachment A for their respective position classification.

1.2 The duties and responsibilities of the position classification identified in Paragraph 1.1 above shall be described in an Alameda CTC job specification approved by the Executive Director.

1.3 The salary ranges for the employees described in Paragraph 1.1 shall not include steps and/or provision for any automatic or tenure-based increases.

1.4 Starting compensation, including salary, for new employees shall be set by the Executive Director consistent with the prescribed salary ranges for the position classification identified in Paragraph 1.1.

**2. Appointment and Performance Management**

2.1 Original appointments of new employees shall be tentative and subject to a probationary period of one (1) year of actual service.

2.1.1 Every six (6) months during the probationary period new employees may meet with their supervisor to discuss performance to date. At the time of the discussion the supervisor may complete a written evaluation for the employee's personnel records.

2.1.2 Upon completion of the probationary period, the employee shall be given a written evaluation. If this evaluation shows that the employee has satisfactorily demonstrated the qualifications for the position, the employee shall gain regular status, and shall be so informed.

2.1.3 At any time during the probationary period, a probationary employee may be terminated with or without cause and with or without notice. Employee shall be notified in writing by the Executive Director or his/her designee of such termination.

2.1.4 The probationary period may be extended once by the Executive Director at his/her sole discretion in order to further evaluate the performance of the probationary employee.

2.1.5 The probationary period is automatically extended by a period of time equal to the time the employee is absent due to any type of leave, including time absent while receiving workers' compensation benefits.

2.2 Following successful completion of the probationary period, written performance reviews for employees shall be conducted at least once a year by the employee's supervisor and reviewed and approved by the Executive Director or his/her designee. In addition, a review of an employee's progress in meeting annual goals and objectives may be conducted at the end of six months by the employee and his or her supervisor.

2.3 On the basis of the performance reviews, increases or decreases in compensation may be granted at that time by the Executive Director at his/her sole discretion consistent with the Board approved annual budget.

**3. Holidays**

3.1 The following eleven (11) paid holidays shall be observed by Alameda CTC:

| | | |
|---|---|---|
| New Year's Day (observed) | - | December 31, 2021, Friday |
| Martin Luther King Day | - | January 17, 2022, Monday |
| Presidents' Day | - | February 21, 2022, Monday |
| Memorial Day | - | May 30, 2022, Monday |
| Independence Day | - | July 4, 2022, Monday |
| Labor Day | - | September 5, 2022, Monday |
| Veterans Day | - | November 11, 2022, Friday |
| Thanksgiving Day | - | November 24, 2022, Thursday |
| Day after Thanksgiving | - | November 25, 2022, Friday |
| Day before Christmas (observed) | - | December 23, 2022, Friday |
| Christmas Day (observed) | - | December 26, 2022, Monday |

3.2 **Holiday Policy.** When a holiday falls on a Sunday, the following Monday shall be observed as the holiday date. When a holiday falls on a Saturday, the preceding Friday shall be observed.

3.3 **Floating Holidays**. Regular full-time employees receive up to three (3) floating holidays per fiscal year. Employees shall be granted such holidays at the beginning of each fiscal year (i.e., effective on July 1 of each year). Floating Holidays are not accruable and those unused at the end of the fiscal year will be eliminated from the employee's available leave bank.

3.4 **Holiday Time**. Regular full-time employees shall receive eight (8) hours of holiday pay for each of the above holidays at their regular base rate. Regular part-time employees shall receive paid holiday time prorated based on actual hours worked should their regular work schedule fall on one of the above listed holidays.

3.5 **Administrative Procedure**. The Executive Director shall establish holiday procedures governing employees of Alameda CTC.

**4. Leaves of Absence**

**4.1 Vacation**

4.1.1 **Accrual Rates.** Alameda CTC shall provide vacation leave with pay for regular employees (including probationary employees) based on accrual guidelines shown in the table below. Vacation leave earned shall accrue upon completion of each pay period beginning upon completion of the pay period following that in which the employee commences service.

**Accrual Rates Based on Years of Service:**

| Years of Service | Vacation Days Accrued Per Year | Maximum Hours Accrued |
|---|---|---|
| 0-3 Years | 10 Days | 120 Hours |
| 3.1-10 Years | 15 Days | 240 Hours |
| 10.1-15 Years | 20 Days | 320 Hours |
| 15.1+ Years | 25 Days | 400 Hours |

Part-time employees shall earn vacation leave on a pro rata basis based on actual hours worked. The maximum accrual will also be prorated.

As a recruitment and negotiating tool, at the sole discretion of the Executive Director, Alameda CTC may determine the "Years of Service" tier at which a new employee at the Principal level or above may begin service.

4.1.2 **Maximum Vacation Benefits**. Once an employee reaches the maximum accrual, the employee will cease accruing any additional vacation leave until such time as vacation leave hours fall below the maximum.

4.1.3 **Payment of Vacation upon Separation**. Accrued vacation pay that has not been used will be paid at the time of resignation or termination. An employee terminating employment with Alameda CTC for reasons other than paid retirement from Alameda CTC shall be paid at such employee's current rate of pay for all unused accrued vacation up to the maximum amount of permissible accumulated vacation time as set forth above, in one (1) lump sum less applicable taxes. An employee separating from service with Alameda CTC for paid retirement will be paid at the employee's current rate of pay for vacation up to the ceiling amount as set forth above, in one (1) lump sum less applicable taxes. At the Executive Director's discretion, Alameda CTC may allow an employee separating from service with Alameda CTC for paid retirement to elect to take time off for vacation prior to the employee's date of retirement.

4.2 **Management Leave**. Regular full-time exempt employees may receive paid management leave at the sole discretion of the Executive Director. The leave is intended to compensate exempt employees who are required to attend work-related meetings outside of normal working hours. The amount of leave will be determined by the Executive Director based on each employee's function and the number of off hour meetings he/she is required to attend. Use of Management Leave shall be at the discretion of the Executive Director or his/her designee.

4.3 **Sick Leave**. Regular employees (including probationary employees) shall receive sick leave, accumulating at the rate of one day per calendar month up to four hundred eighty (480) hours (prorated for part-time employees based on actual hours worked). Up to sixty (60) days of accrued but unused sick leave may be used toward service credit for CalPERS retirement benefits. Sick leave is available only for the actual illness or injury of an employee or to allow the employee to care for the employee's spouse, registered domestic partner, children, children of registered domestic partner, parents, grandparents, grandchildren, or siblings.

In compliance with the City of Oakland's Measure FF, temporary employees are eligible to utilize accrued sick leave 90 days after their first day of employment. Sick leave will accumulate at the rate of one hour for every 30 hours worked up to 72 hours and can be used for actual illness, injury, preventive care and other purposes, as defined in Measure FF, of an employee or covered family member.

4.4 **Family and Medical Leave**. Alameda CTC may grant regular employees (including probationary employees) up to twelve (12) workweeks of time off in a 12-month period (whether paid or unpaid) for the employee's own serious health condition or to allow the employee to care for the employee's spouse, registered domestic partner, children, children of registered domestic partner, parents, grandparents, grandchildren, or siblings if they have a serious health condition, or for baby/child bonding after the birth, adoption, or foster care placement of an employee's child. Employees must have worked at least 1,250 hours in the preceding 12-month period.

Employees may exhaust any accrued vacation time and/or sick leave (if the leave is due to the employee's own serious health condition or to care for the serious health condition of a covered family member as described above) while on unpaid leave. Employees taking family/medical leave due to the birth of a child to that employee's spouse or registered domestic partner, or the adoption or foster placement of a child, or to care for such child, may utilize accrued sick leave and/or vacation time during such leave. Such use of accrued vacation time and/or sick leave is the only pay such employee will receive from Alameda CTC while on family/medical leave.

4.5 **Leave Due to Pregnancy, Child Birth or Related Conditions**. Alameda CTC shall comply with California's Pregnancy Disability Leave Law. Employees may, but are not required to, utilize accrued vacation and sick leave during any pregnancy leave so as to receive pay during some or all of such leave.

4.6 **Paid Family Leave**. Alameda CTC shall comply with California's Paid Family Leave Law. Employees are entitled to up to 12 weeks of time off in a 12-month period to care for an employee's seriously ill spouse, registered domestic partner, child, child of a registered domestic partner, parent, grandparent, grandchild, or sibling, or to bond with a newborn child within one year of the birth or placement of the child in connection with foster care or adoption. Employees must have worked at least 1,250 hours in the preceding 12-month period.

Employees may exhaust any accrued vacation time and/or sick leave (if the employee's leave is due to the care of a serious health condition of a covered family member as described above) while on unpaid leave. Employees taking California's Paid Family Leave due to the birth of a child to that employee's spouse or registered domestic partner, or the adoption or foster placement of a child, or to care for such child, may utilize accrued sick leave and/or vacation time during such leave. Such use of accrued vacation time and/or sick leave is the only pay such employee will receive from Alameda CTC while utilizing California's Paid Family Leave Law.

4.7 **Military Leave**. Military leave shall be granted in accordance with federal and state law.

4.8 **Bereavement Leave**. In the event of a death in the immediate family of a regular full-time employee, paid leave not chargeable to sick or vacation leave will be granted for a period up to three (3) scheduled work days for the purpose of making arrangements for, or to attend, the funeral. Employees shall receive one (1) day to attend a funeral for a friend or relative outside their immediate family. Immediate family is defined as spouse, registered domestic partner, child, sister, brother, mother, father, legal guardian, any other person sharing the relationship of in loco parentis, legal dependent, current mother- or father-in-law, grandparents, or grandchildren.

4.9 **Jury and Witness Duty Leave**. All regular full-time employees will be granted a leave of absence with pay for all or any part of the time required for jury duty in the manner prescribed by law. The employee must return to work on the same day he or she is excused from service. The employee shall be paid the difference between his/her full salary and any payment received for such duty, except travel pay. All regular full-time employees will be granted a leave of absence with pay for their appearance as a witness in a civil or criminal proceeding (other than as an accused) for any appearance that is solely attributable to the employee's work for Alameda CTC.

4.10 **Administrative Procedure**. The Executive Director shall establish specific guidelines and procedures to implement all leave policies and will comply with any laws mandated by the federal, state and local jurisdictions.

**5. Health Insurance and Other Benefits**

5.1 **Cafeteria Plan.** Alameda CTC provides a Cafeteria Plan for its eligible employees, into which Alameda CTC will pay $2,881 per month per employee. This amount is in addition to the Public Employees' Medical and Hospital Care Act (PEMHCA) minimum required contribution of $149. With these funds, each participating employee is able to choose the following coverage:

- Health Insurance (through the State of California's Public Employees' Retirement System (CalPERS));
- Dental Insurance;
- Vision Care Insurance;
- Life Insurance;
- Dependent Life Insurance;

- Accidental Death and Dismemberment Insurance;
- Long-term Disability Insurance; and
- Short-term Disability Insurance.

When an employee is required to work on a less than full-time basis due to medical or other valid reasons, the accrual for the cafeteria plan contribution amount may be prorated by dividing the actual hours worked plus any accrued sick/vacation hours used during the pay period, by the fulltime equivalent hours in the same pay period.

Regular full-time employees who elect not to use the CalPERS health care benefit and can prove alternate coverage shall receive $400 per month which will be paid with each paycheck ($200 per pay-period) and is subject to all applicable payroll taxes.

Regular part-time employees will receive a prorated amount of the monthly contribution based on actual hours worked.

**6. Additional Benefits Programs**

6.1 **Transit Subsidy.** All regular full-time employees of Alameda CTC are eligible to receive up to the federally approved transit benefit amount for 2022 (if elected to be received by the employee).

6.2 **Tuition Assistance**. Following completion of their probationary period, regular full-time employees are eligible for reimbursement of 90% of tuition fees for job-related courses, subject to budget availability up to $500 per academic year at an accredited institution each fiscal year, at the sole discretion of the Executive Director.

**7. Other benefits**. Alameda CTC will also provide: (1) A Flexible Spending Account (FSA) program which will be administered through the cafeteria plan for both dependent care expenses up to $5,000 per calendar year and medical expenses up to the maximum amount allowed consistent with the IRS limit for 2022. To participate in and receive benefits in the form of reimbursements for dependent and/or medical care expenses from the FSA, an employee can elect to pay his or her contribution for FSA benefits on a pre-tax salary reduction basis; and (2) an optional deferred compensation program, CalPERS 457 Supplemental Income Plan.

**8. Administrative Procedure.** The Executive Director shall establish specific guidelines and procedures to implement all benefit policies.

**9. Retirement.** All employees of Alameda CTC shall be entitled to membership with the California Public Employees' Retirement System (CalPERS) according to the guidelines established in the CalPERS Retirement Benefits Policy and the applicable contract with CalPERS. Alameda CTC shall contribute to CalPERS each pay period 5% of the 8% employee contribution on behalf of all "Classic" employees (Classic employees are those hired before January 1, 2013). Such contribution shall be reported to CalPERS as "employee contribution being made by the contracting agency" and shall not be deemed to be "compensation" reportable to CalPERS. This same benefit is not provided for employees hired on or after January 1, 2013 per the requirements of the Public Employees' Pension Reform Act of 2013 (AB340).

**10.** **Reimbursement of Expenses.** Alameda CTC will reimburse employees of the Agency for reasonable and normal expenses associated with Alameda CTC business approved by the Executive Director or his/her designee. An employee may be offered a fixed taxable monthly allowance in lieu of actual expenses, which may be adjusted annually by the Executive Director.

**11.** **Office Hours.** The offices of Alameda CTC shall be open to the public between 8:30 a.m. and 5:00 p.m. on Monday, Tuesday, Thursday and Friday of each week, with Wednesday as a fully remote work day, except on Alameda CTC holidays as defined in Paragraph 2.1. Staff will fulfill at minimum 8 hours on work days regardless of working in the office or remotely. All employees are required to fulfill a full working day of 8 hours minimum.

**12.** All provisions of this Resolution shall be effective and pertain to all employees of Alameda CTC as of the date of hire of the employee, or January 1, 2022, whichever is later, unless otherwise provided.

**13.** The Executive Director is authorized to execute the necessary contracts for the benefits and insurance coverage described herein.

**14.** This resolution is intended to and shall replace and supersede in its entirety that certain Resolution 20-012 adopted by the Commission on December 3, 2020.

Duly passed and adopted by the Alameda CTC at the regular meeting of the Commission held on Thursday, December 2, 2021, in Oakland, California by the following votes:

**AYES: 23** **NOES: 0** **ABSTAIN: 0** **ABSENT: 4**

**SIGNED:**

Pauline Russo Cutter

Pauline Cutter,
Chairperson, Alameda CTC

**ATTEST:**

Vanessa Lee,
Clerk of the Commission

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**10.1D**

**Alameda County Transportation Commission**
**Base Salary Data**
**August 2022**

**EXECUTIVE DIRECTOR**

| Rank | Comparator Agency | Class Title | Top Monthly Salary [1] | Top Annual Salary | Effective Date |
|---|---|---|---|---|---|
| 1 | Contra Costa Transportation Authority (CCTA) | Executive Director | $ 34,931 | $ 419,169 | 7/1/2022 |
| 2 | Riverside County Transportation Commission (RCTC) | Executive Director | $ 31,196 | $ 374,352 | 7/1/2022 |
| **3*** | **Alameda County Transportation Commission (ACTC)** | **Executive Director** | **$ 30,594** | **$ 367,133** | **7/1/2021** |
| 4 | Los Angeles County Metropolitan Transportation Authority (LA Metro) | Chief Planning Officer | $ 27,919 | $ 335,026 | 7/1/2021 |
| 5 | Metropolitan Transportation Commission (MTC) | Deputy Executive Director | $ 25,685 | $ 308,219 | 7/1/2022 |
| 6 | San Francisco County Transportation Authority (SFCTA) | Executive Director | $ 25,393 | $ 304,712 | 12/31/2019 |
| | ***Actual Current Salary: Alameda County Transportation Commission (ACTC)** | ***Executive Director*** | ***$ 26,369*** | ***$ 316,432*** | ***1/1/2022*** |
| **Market Results** | | | **Total Monthly Comp** | **Total Annual Comp** | |
| | | **Average of Comparators** | **$29,025** | **$348,295** | |
| | | **75th Percentile of Comparators** | **$31,196** | **$374,352** | |
| | | *NOTE: All calculations exclude ACTC* | | | |
| | ***Proposed new contract first year salary: Alameda County Transportation Commission (ACTC) [(3)]*** | ***Executive Director*** | ***$ 28,743*** | ***$ 344,911*** | ***1/1/2023*** |

Notes:

1 - All of the top monthly and annual salaries reported are maximum salaries of the range.

2 - Alameda County Transportation Commission (ACTC) Commission Approved Salary Range Low: $282,409; Mid: $324,771; Max $367,133
Approved December 2, 2021
https://www.alamedactc.org/wp-content/uploads/2022/06/ACTC_Staff_Salary_Schedule_FY2022-2023.pdf

3 - Proposed new contract first year salary is commensurate with the average of comparators, just above the mid-range of the current approved salary range and consistent with CPI this year.

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