

PAC Item #4a
Letters Received



CITY OF NEWARK, CALIFORNIA

37101 Newark Boulevard • Newark, California 94560-3796 • (510) 793-1400 • FAX (510) 794-2306

June 26, 2008

RECEIVED

Mr. Steve Heminger, Executive Director
Metropolitan Transportation Commission
Joseph P. Bort Metrocenter
101 Eighth Street
Oakland, CA 94607

JUL 01 2008

MTC

Dear Mr. Heminger:

I understand that the MTC is scheduled to consider the transfer of \$91 million from the Dumbarton Rail Project to the BART to Warm Springs Extension at the July 9, 2008 meeting of the Programming and Allocations Committee meeting. On behalf of Newark, as the east bay sponsor of the project, I would like to respectfully request action on this item be delayed until at least September, after the Dumbarton PAC's scheduled July meeting.

Newark has long been a proponent of regional solutions to the transportation issues facing the bay area. While we certainly understand that there are many demands and all projects, including the BART to Warm Springs Extension, are facing escalating costs, we do feel that the action being proposed will send a strong message to the funding partners and the public that the MTC does not support the Dumbarton Rail project. The Dumbarton Rail project team has been moving actively forward towards revenue service. Time is needed to more fully explore what is in the best interest of the public.

The additional time being requested will allow the PAC, as well as the individual agencies most directly affected by the transfer of funds, to consider phasing options to best move towards the MTC goals of improved mobility and enhancement of connectivity throughout the region. This project, even if phased, will provide commuters to the peninsula a transit alternative which they do not currently have. The Regional Measure 2 funds generated by the increase in bridge tolls have a strong nexus to the Dumbarton Rail project to relieve current and projected congestion in the Dumbarton Corridor. I know there is a strong expectation by the public that the Dumbarton Rail project would be delivered in the near term rather than potentially 20 years out.

Thank you for consideration of my request.

Sincerely,

A handwritten signature in black ink that reads "David W. Smith".

DAVID W. SMITH
Mayor



Office of the Mayor | Bob Wasserman, Mayor
3300 Capitol Avenue, P.O. Box 5006, Fremont, CA 94537-5006
510 284-4011 *ph* | 510 284-4001 *fax* | www.fremont.gov

RECEIVED

July 2, 2008

JUL 07 2008

MTC

To: The Honorable Mayors of the Alameda County

Subject: MTC's Recommended Strategic Plan for Delivering Resolution 3434 Projects -
Strategy for Funding the BART Extension to Warm Springs

Dear Mayor:

In response to the Mayor's Conference request for additional information on MTC's proposed change to its Resolution 3434 project funding, you may have recently received a memo from Union City Mayor Mark Green. This memo is intended to provide you with additional information and justification for the current MTC proposal.

First, Mayor Green's memo states that Resolution 3434 is a policy document for funding transit projects that were identified in the Regional Measure 2 bridge toll legislation. This is partially correct, but in fact, Resolution 3434 is a compilation of all the region's highest priority transportation projects along with a wide range of proposed funding sources. Many projects on this list have no bridge toll funding whatsoever.

Resolution 3434 is actually the second priority list of projects that MTC developed; the first was Resolution 1876 developed in the late 1980's. Several of the projects on the original list are now in operation, including the BART Extension to the San Francisco Airport and the Tasman Light Rail Extension in Santa Clara County. Several other projects, such as the BART Extension to Warm Springs, were also included in Resolution 1876. However, due to the need to fund projects that were ready to go into construction, funds were diverted away from the Warm Springs Extension years ago to construct the other projects. After several of the projects listed in Resolution 1876 were completed, and new projects were identified, like the Dumbarton Rail Project, MTC developed a new list of regional projects and included them in Resolution 3434. The BART Extension to Warm Springs is one of the few carry-over projects in Resolution 3434 from the original MTC priority list, whereas the Dumbarton Rail Project was a recent addition. In fact, the BART Extension to Warm Springs has been planned for over 30 years and has been waiting for a full funding plan to allow it to proceed into construction.

MTC is now faced with the same situation with Resolution 3434 projects that it faced with the Resolution 1876 projects. There are more projects than available funding. More specifically, all projects included in Resolution 3434 have some funding available, but most do not have enough money to actually be constructed anytime soon. Therefore, about a year ago, MTC decided it should prepare a strategic plan for delivering the Resolution 3434 projects in the most logical



and strategic manner possible. Using the same successful strategy they employed to deliver critical projects on the original Resolution 1876 list, one of the recommendations in MTC's current strategic plan is to borrow a portion of the currently available funds from projects on the 3434 list that are not ready to move into construction and move them to projects that are ready to be constructed. The reasoning is simple, it better to use the money where you can actually deliver a high priority project than to have a larger list of unfinished projects for many years to come.

The BART Extension to Warm Springs is finally one of those projects that are ready to proceed into construction. After waiting these many years, and having lent money to other projects so they could proceed, the Warm Springs Project is set to begin construction next year. BART is nearing the end of design for the first major contract that will be advertised early next year. They have secured the majority of the property required and will soon complete the rest. The only thing left to do is to secure the remaining funding. MTC's proposal to borrow \$91 million from the Dumbarton Rail Project does just that. It will close the final funding gap needed to begin the extension of BART to the Warm Springs area, and also provide the first link of the extension into Santa Clara County that will benefit thousands of east bay residents that commute to Silicon Valley jobs. If the BART Warm Springs Project can't start construction next year, BART estimates the costs will increase due to escalation by \$40 million for each year of delay! It is hard to imagine where this additional funding would come from if this project is delayed.

In contrast to the Warm Springs Extension, the Dumbarton Rail Project has many hurdles to overcome before it would be ready to build. The Dumbarton Rail Project is still in the middle of its environmental phase and attempting to address various environmental concerns raised by citizens and cities on both sides of the bay. The Project cost estimate was recently updated and the cost of the project has doubled from approximately \$300 million to nearly \$600 million with no plan on how to make up this difference. As it stands now, there is not enough funding to even make a connection across the bay to Newark, no less build the full project to Fremont and Union City. Most recently, the Santa Clara County Civil Grand Jury recommended that the Santa Clara Valley Transportation Authority reconsider its share of the funding for the Dumbarton Rail Project based on the Jury's finding that many of the original assumptions about the Dumbarton Project have changed, including the cost, ridership potential, and lack of ability to reach an agreement with the Union Pacific Railroad, which controls a large portion of the rail line needed for the Project.

Although Mayor Green's memo briefly mentions the Dumbarton Rail Project, it is primarily focused on only one aspect of that project, the purchase of the Oakland Subdivision rail line between Union City and Oakland from the Union Pacific Railroad (UPRR). Continued attempts to acquire this rail line from UPRR have been unsuccessful due to the high price they are demanding. However, even if funding could be found to build a the portion of the Dumbarton rail extension across the bay as far as Newark, due to the large current funding gap, there would be no funds remaining for the rest of the Project, including the purchase of the UPRR property, even if the Dumbarton Rail funds are not loaned to the BART Warm Spring Project. Mayor Green is correct when he states in his memo that acquisition of the Oakland Subdivision can

Alameda County Mayors

July 2, 2008

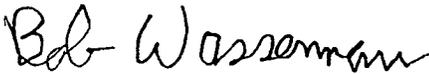
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advance without full funding for the Dumbarton Rail Project. In fact, it can advance even if the Dumbarton funds are loaned to the BART Project. There would still be sufficient funding remaining to acquire the UPRR corridor and preserve it for the ultimate Dumbarton Rail Project all the way into Union City. By the time these additional funds are identified, it is likely the loan to the BART Project will have been repaid and all of the original funding restored. In the mean time, the RM2 operating funds for the Dumbarton service could be used to add to the existing Dumbarton express bus service that serves this same corridor.

Finally, you may also get the impression from reading Mayor Green's memo that the Dumbarton Rail Project had to meet some special criteria to be included in the Regional Measure 2 (RM2) bridge toll legislation. However, funding for the Warm Springs BART Extension is also included in RM2 and had to meet the same criteria to receive this bridge toll funding. In fact, the BART Warm Springs Project was not only included in the most recent voter approved bridge toll measure, it is included in the first voter approved bridge toll measure and both the 1986 and 2000 Alameda County Transportation Sales Tax Measures. Although it did not receive any funding from the first sales tax measure (again, Warm Springs had to wait until the Dublin/Pleasanton Line was completed) it is now the Alameda County Transportation Improvement Authority's (ACTIA's) highest legislative priority for discretionary funding.

The time has come to finally build the BART Extension to Warm Springs and MTC's funding recommendation is the solution to this decades old issue. The BART Project has waited in line for many years while it had its funds borrowed so other projects can proceed. It can finally move into construction while the Dumbarton Rail Project can continue to be developed and the UPRR property can still be acquired. I urge you to support MTC's Resolution 3434 Strategic Plan recommendation to loan Dumbarton Rail funds to the BART Warm Springs Project. Let's get something built!

Sincerely,



Bob Wasserman

Mayor



Office of the Mayor | Bob Wasserman, Mayor
3300 Capitol Avenue, P.O. Box 5006, Fremont, CA 94537-5006
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June 30, 2008

Mr. Forrest Williams, Chair
Capitol Corridor Joint Powers Authority
300 Lakeside Drive
14th Floor East
Oakland, CA 94612

Subject: CCJPA Concerns with Transit Accessibility to A's Ballpark Village Project

Dear Mr. Williams:

The Fremont City Council was quite surprised, and very dismayed, to receive your June 27 letter to Steve Heminger raising concerns about transit access to the proposed A's Ballpark Village Project. Although we have been working closely with your staff on this project, no one informed the City that the Capitol Corridor Joint Powers Authority (CCJPA) was going to be discussing this issue at its June 20 meeting, nor did we see this issue on your agenda. If the CCJPA was interested in learning about possible transit access to the Ballpark Village Project we expected your staff to ask someone familiar with the Project, either the City or the A's, to attend the meeting and address the Board.

Constructing a new Capitol Corridor and ACE train station at the west end of Auto Mall Parkway on the Coast Subdivision is not a new concept. The City and its Redevelopment Agency have been planning to build this new station to serve the large industrial and retail areas west of I-880 in Fremont for many years, long before the A's began planning their Ballpark Village Project. The fact that a new train station would eventually be developed in this area has been well know and thoroughly discussed with both Capitol Corridor and ACE staff over the last several years.

In order to ensure the new train station was properly designed, City staff and the A's met several times over the last few months with CCJPA staff to discuss the optimum design for the station. The City and the A's then jointly funded a conceptual design study for the station based on the input received from your staff. CCJPA staff has been very helpful and very supportive of the proposed station. So you can imagine our surprise when, without warning, we received your letter raising concerns about the very station that your staff had been helping us develop.

The proposed Capitol Corridor/ACE station is part of a comprehensive transit plan being developed by the City and the A's to serve the Ballpark Village site. The new train station is not intended to merely serve the baseball stadium, in fact, that is not its primary purpose. The current Ballpark Village proposal includes 500,000 square feet of retail



Mr. Forrest Williams, Chair
Capitol Corridor Joint Powers Authority
July 1, 2008
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space and over 3100 housing units with more than 9000 residents in addition to the baseball stadium. The new train station, with its 500 adjacent parking spaces and direct pedestrian paths from the Village, is a key component of the transit plan.

In addition to shuttles from the new train station, the A's have committed to run shuttle buses to all baseball games from both the Fremont BART station and VTA's light rail in Milpitas. A year or two after the stadium opens, and BART has been extended to the new Warm Springs Station, the A's intend to provide shuttles to the new BART station. Coupled with a possible pedestrian overcrossing of I-880, this new shuttle route will be approximately one mile in length, meeting every BART train and providing excellent service to the new ballpark and village.

The City is well aware that the future Capitol Corridor station will need to be closely coordinated with and receive approval from the Union Pacific Railroad; that is why we have been working so closely with the Capitol Corridor staff in the development of the station. The City is prepared to dedicate the resources needed to develop this new station based on the parameters identified in our recent design study. Working with the A's the City of Fremont is committed to provide viable transit alternatives to the residents, employees and visitors of the Ballpark Village and the greater Fremont community as a whole.

To ensure the CCJPA receives full, accurate information about the Ballpark Village Project, we would be happy to make a presentation at your next Board meeting. We will be contacting your staff to arrange for the presentation.

Sincerely,



Bob Wasserman
Mayor

cc: Steve Heminger, MTC
Tom Blalock, CCJPA
Gene Skoropowski, CCJPA
Fremont City Council
Lew Wolff, Oakland A's
Keith Wolff, Oakland A's
Fred Diaz
Jim Pierson

City of San Leandro

Civic Center, 835 E. 14th Street
San Leandro, California 94577



Office of the Mayor 510-577-3356

Fax 510-577-3340

RECEIVED

July 3, 2008

JUL 07 2008

Mr. Steve Heminger, Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

MTC

RE: Resolution 3434 Strategic Plan

Dear Mr. Heminger:

The City of San Leandro requests that the Programming and Allocations Committee not divert \$91 million in Regional Measure 2 funds programmed for Dumbarton Rail to the Warm Springs BART project. The trading of secure Regional Measure 2 funds with future, uncertain RTIP funds would hinder the ability to negotiate with Union Pacific Railroad to acquire the Oakland Subdivision.

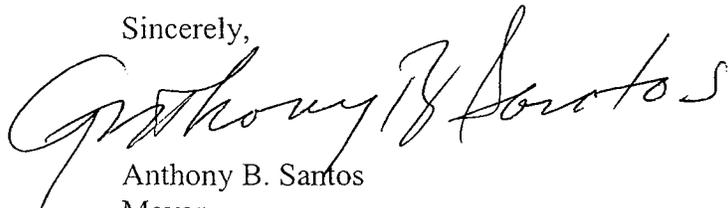
We understand the intent of Resolution 3434 and Priority Development Areas is to encourage Transit Oriented Development around the rail stations. Our City along with Union City, Hayward, and Oakland each have designated PDAs adjacent to their BART stations that would benefit from the acquisition of the Oakland Subdivision and the preservation of the right-of-way for future transportation uses. Although Warm Springs is an important regional project, the diversion of funds would become an impediment to ours and several other PDAs in their attempt to change development habits with multiplying benefits to the BART system.

Acquisition of the Oakland Subdivision in conjunction with track improvements evaluated in Union City's Passenger Rail EIR would have independent utility even if the Dumbarton Rail project is delayed. Capitol Corridor and ACE could provide service to the Union City BART station and to San Jose, allowing the Capitol Corridor to potentially provide a reliever to overcrowded BART trains for less cost and in a more timely fashion. The diversion of Regional Measure 2 funds is inconsistent with the voter mandate which specifically identified funding for Dumbarton Rail with stations in Alameda County. The diversion of funds is also inconsistent with the recommendations of the Regional Rail Plan to acquire the Oakland Subdivision and preserve the right-of-way.

Mr. Steve Heminger, Executive Director
Metropolitan Transportation Commission
July 3, 2008
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San Leandro requests that the Programming and Allocations Committee modify the Resolution 3434 2008 Strategic Plan to program Regional Measure 2 funds to acquire the Oakland Subdivision and to authorize negotiations with Union Pacific Railroad.

Sincerely,

A handwritten signature in cursive script that reads "Anthony B. Santos". The signature is written in black ink and is positioned above the printed name.

Anthony B. Santos
Mayor



Mayor

Patricia M. Mahan

Council Members

Dominic J. Caserta
Will Kennedy
Pat Kolstad
Joe Kornder
Jamie McLeod
Kevin Moore

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July 8, 2008

Mr. Bill Dodd, Chair
Metropolitan Transportation Commission
Joseph P. Bort Metro Center
101 Eighth Street
Oakland, CA 94607-4700

Re: MTC Resolution 3434

Dear Chairperson Dodd:

We are writing this letter in support of the proposal to shift funding from the Dumbarton Rail Project to the BART to Warm Springs extension project as part of Metropolitan Transportation Commission's Resolution 3434 Strategic Plan Update process.

It is our understanding that the Dumbarton Rail Extension project has significant planning issues to resolve. The BART to Warm Springs extension project is in a higher stage of readiness and can move into the final design phase. Delays to this extension project can result in significant higher cost for the overall BART to Santa Clara project. All member agencies of the Valley Transportation Authority support this important project for the Santa Clara County. The City of Santa Clara has already initiated the Station Area Planning for the future terminus in Santa Clara.

BART to Santa Clara has been a vision of our region for the past several years and funding for the Warm Springs extension will bring that vision a step closer to reality. For these reasons, we strongly urge you to adopt this funding shift towards the BART extension project.

Sincerely,

Pat Mahan
Patricia Mahan
Mayor

Jennifer Sparacino
Jennifer Sparacino
City Manager

PM:JS:ler

cc: City Council
Director of Public Works/City Engineer
Director of Planning and Inspection