

# Metropolitan Transportation Commission Programming and Allocations Committee

December 10, 2008

Item Number 4a

## Proposed Amendments to the Regional Measure 2 Program

---

- Subject:** Notice to hold a public hearing on January 14, 2009 for a proposed amendment to the Regional Measure 2 Program.
- Background:** Regional Measure 2 (RM2), as passed by the voters in 2004, allows the redirection of RM 2 funds to another project if a project is canceled or allows project modifications if a project cannot continue as statutorily scoped. In 2006, an amendment (AB 1407, enacted September 29, 2006) to the RM2 statute expanded this provision to allow MTC to reassign funds if the RM2 project is to be completed using other funds. Specifically, if a project can be implemented with new funding from non-toll funds. Pursuant to Section 30914(f) of the California Streets and Highways Code, MTC must consult with the sponsors and hold a public hearing prior to taking action.
- In September 2008, the Commission approved the Resolution 3434 Strategic Plan, a framework to aid in project delivery for projects in the Regional Transit Expansion Program. The Strategic Plan included a commitment to advancing certain ready-to-go projects by providing additional funds to assist with funding gaps and cashflow issues. Consistent with the Strategic Plan, staff is proposing to reassign funds within two sets of projects as described in detail below. The staff proposal (summarized below) will be released for a public review and comment period following the PAC meeting on December 10, 2008. The 30-day public review period will end on January 16, 2009. A public hearing on the proposal will be held at the Programming and Allocations Committee meeting on January 14, 2009. The final proposal will be presented for approval at the January 28, 2009 Commission meeting.
- Dumbarton Rail/BART Warm Springs Amendment:**  
*Proposed Action:* Reassign \$91 million in RM2 funds from the East to West Bay Commuter Service over the Dumbarton Rail Bridge project to the BART to Warm Springs Extension project. In exchange, this project would receive \$91 million in future year (FY 2019-20 to FY 2026-27) Alameda County State Transportation Improvement Program (STIP) funds, to be committed by the Alameda County Congestion Management Agency in December 2008.
- BART Seismic Strengthening/Oakland Airport Connector Amendment:**  
*Proposed Action:* Reassign \$10 million in RM2 funds from the BART Tube Seismic Strengthening project to the BART Oakland Airport Connector project. In exchange, the Seismic project will receive \$10 million in state Interregional Improvement Program (IIP) funds which were previously committed to the BART Oakland Airport Connector project but which have been redirected to the BART Seismic project by the California Transportation Commission (CTC).
- Issues:** None.

**Recommendation:** MTC staff recommends the Committee authorize the release of the proposed amendment to the projects in the Regional Measure 2 Program on December 10, 2008 for public review and comment, and authorize a public hearing to be held on January 14, 2009 during the Programming and Allocations Committee meeting.

**Attachment:** None.