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Deputy Executive Director, Operations

## Programming and Allocations Committee September 8, 2010 Minutes

Chair Kinsey called the meeting to order at approximately 10:30 a.m. Committee members present were: Commissioners Glover, Bates, Cortese, Daly, Dodd, and Sartipi. Commissioners Haggerty and Tissier were present as ad hoc members of the Committee. Other Commissioners present were: Giacopini, Halsted, Lempert, Rubin, Spering, Worth, and Yeager.

### Consent Calendar

The Committee approved the following consent items:

- Minutes of July 14, 2010 meeting;
- 2009 Transportation Improvement Program (TIP) Amendment 2009-56. MTC Resolution No. 3875, Revised;
- Proposed allocation of approximately \$55,000 in RM2 Capital funds. MTC Resolution No. 3722, Revised;
- Authorization of an Unmet Transit Needs Public Hearing for Solano County; and
- Proposed allocation of \$2.9 million of bridge tolls to the Transbay Joint Powers Authority (TJPA) for operations and maintenance of the Transbay Terminal Building. MTC Resolution No. 3913.

### Federal

- *Public Hearing: Draft 2011 Transportation Improvement Program (TIP) and Draft Air Quality Conformity Analysis for the 2011 TIP.*

Sri Srinivasan, Programming and Allocations Section and Grace Cho, Planning Section, presented an overview of the Draft TIP and Draft Air Quality Conformity Analysis.

There was one public speaker. David Schonbrunn, of TRANSDEF, stated that in the interest of time he will submit his comments in writing.

There were no other public speakers and the public hearing will be continued at the September 22, 2010 Commission meeting.

- *Item 3b was moved to follow item 4 on the agenda.*

### State

- *Concurrence requests for amendments to the 2010 State Transportation Improvement Program (STIP).*

Kenneth Kao, Programming and Allocations Section, presented a request for MTC's concurrence for amendments to the 2010 State Transportation Improvement Program (STIP) which included: 1) the reduction of programming for I-880 North Safety Improvement (29<sup>th</sup> – 23<sup>rd</sup>) Project by \$10 million; 2) the reduction of programming for Mission/I-880 Interchange Phase 1B/2 by \$10 million; 3) the programming of \$20 million to BART Oakland Airport Connector (OAC); and 4) the programming of \$200,000 in Transportation Enhancement funds for the LAVTA Rideo Bus Restoration.

Commissioner Tom Bates asked for a fair cost analysis between the TransForm Bus Rapid Transit (BRT) recommendation and the current BART OAC project. Steve Heminger responded that it is difficult to compare a BRT in the corridor to a project that has received a construction bid because they are vastly different in their stages of development. It is likely that a BRT project in the corridor could cost less than the OAC. Further, the OAC was designed for reliability to serve the airport and air travelers. A premium is paid for reliability in terms of a rail or a dedicated guideway project. The cost estimate provided by TransForm is not based on an engineer's estimate and as a result is not nearly as reliable as a construction bid, a firm price to build the project. He added that the time is now to make a decision on that bid and if the decision is not to proceed, there will be plenty of time later for studies. Commissioner Bates asked how much money has been spent to date on the OAC project. Tom Dunscombe, BART project manager, responded that approximately \$38-39 million has been spent for procuring right-of-way, relocating utilities, completing environmental work, and other procurements to date.

The following members of the public spoke in support of the BART OAC project: Michael Baines, Rich Hedges, Marshall Loring, Andreas Cluver of Building Trades Council, Doyle Williams of the Carpenters Union, Sylvester Grisby, Paul Cohen of Northern California Carpenters Union, Scott Peterson of Oakland Chamber of Commerce, Dorothy Dugger of BART, Carole Ward Allen of BART, Hugh Johnson of Port of Oakland, Arthur Dao of Alameda County Transportation Commission, Jennie Ong of Oakland Chinatown Chamber, Robert Lux of Iron Workers Local 378, Dave Benjamin, Mike Quigley of California Alliance for Jobs, and Al Roosmas.

The following members of the public spoke in opposition to the BART OAC project: David Schonbrunn of TRANSDEF, Tony Sustatz of East Bay Bicycle Coalition, Steve Lowe of West Oakland Commerce Association, Bryce Nesbitt, Joan Lichterman, Karen Smuleritz, Bob Allen of Urban Habitat, Tom Radulovich of BART, Dave Snyder, Ben Lowe, Nancy Botkin, Laura Thomas, Scott Mace, Elika Etemad, and TransForm: John Knox White, Carli Paine, Joel Ramos, and Stuart Cohen.

Commissioner Federal Glover commented that he continues to support the OAC project and at the appropriate time would like to make a motion to move this item forward.

Commissioner Jon Rubin asked if TransForm has held any community hearings and what kind of community input they have received. Mr. Cohen of TransForm responded that TransForm provided an analysis based on what was requested by the Commission.

Commissioner Chris Daly commented that this project has not had unanimous support by the Commission and he has opposed the project. There has been dissension from community organizations, transit advocates, and some MTC Commissioners. He noted that it would be ideal to have a project at the Oakland Airport that is efficient and world-class, that gets carpenters and other

trade members working, is good for the port, the passengers, and does not cannibalize other transit systems. Despite the work done and money already spent, Commissioner Daly recommended that the Committee change course now.

Commissioner Adrienne Tissier commented that this is a local, regional, and international system that has been in the pipeline for a long time and will only cost more if there are more delays. The time is now to make a decision.

Commissioner Tissier made a motion for approval of the concurrence requests for amendments to the 2010 STIP with a second by Commissioner Haggerty.

Commissioner Tom Bates commented that he has never been a supporter of the approach for the OAC project and does not support BART taking an additional debt. The plan before the Committee for this project will make people walk further, get dropped off in the middle of the parking lot, will be more expensive to the riders, and does not present an opportunity for economic development in the future.

Commissioner Amy Rein-Worth commented on the importance of the creation of jobs and moving forward with this project. A critical piece to this project is creating a synergy in the East Bay that will promote further economic development.

Commissioner Sue Lempert commented that she would support the project if there was assurance that every union worker would get a job. However, she believes that the project is flawed because it does not serve the local community and is too expensive for the users; and the airport projections do not support the ridership.

Commissioner Jim Spring commented that he supports the project because of the important role the Oakland Airport plays in the economy of the Bay Area and the state of California. It is important to have a connection between BART and the Oakland Airport because it will serve the region and make the Oakland Airport a more viable option for travelers.

Commissioner Kinsey clarified that the action today by the Committee is the final action giving concurrence for staff to write a letter in support of the action and will not go before the Commission. He went on to comment that this project is in a category of being too big to fail and considers this project a politically important project as promised to tax payers back when Alameda County passed its sales tax, and is supported by many of the public agencies that are critically important to its success. Mr. Kinsey also cautioned that the project takes an agency (BART) that has identified \$7 billion of long term unfunded needs and commits it to another \$100 million in loans. It is time to change attitudes about transit investments or there will not be a cost effective transit future for the region.

Commissioner Scott Haggerty commented that delays in making a decision on this project are costing the region more money. This project is good for both the community and the region.

In a six-to-two vote, the Committee approved the submittal of a concurrence letter for an amendment to the 2010 STIP with Commissioners Bates and Daly voting in opposition.

### **Federal**

- *New Federal Transportation Act First Cycle Programming, Revision and Agreement with the Orange County Transportation Authority. MTC Resolution No. 3925, Revised.*

The Committee approved the referral of MTC Resolutions No. 3925, Revised to the Commission for approval.

### **Regional**

- *Allocation of \$80 million in TDA and STA funds. MTC Resolution Nos. 3950, Revised and 3951, Revised.*

The Committee approved the referral of MTC Resolution Nos. 3950, Revised and 3951, Revised to the Commission for approval after a motion by Commissioner Haggerty and a second by Commissioner Tissier.

### **California Transportation Commission Update**

The Committee received, in writing, updates on the California Transportation Commission (CTC) meeting held on August 11 and 12 in Sacramento.

Commissioner Kinsey adjourned the meeting at approximately 12:32 p.m.