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*Tom Bates*  
Cities of Alameda County

*David Campos*  
City and County of San Francisco

*Dave Cortese*  
Santa Clara County

*Bill Dodd*  
Napa County and Cities

*Dorene M. Giacopini*  
U.S. Department of Transportation

*Federal D. Glover*  
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*Mark Green*  
Association of Bay Area Governments

*Scott Haggerty*  
Alameda County

*Anne W. Halsted*  
San Francisco Bay Conservation  
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*Steve Kinsey*  
Marin County and Cities

*Sam Liccardo*  
Cities of Santa Clara County

*Jake Mackenzie*  
Sonoma County and Cities

*Kevin Mullin*  
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State Business, Transportation  
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*James P. Spring*  
Solano County and Cities

*Scott Wiener*  
San Francisco Mayor's Appointee

*Steve Heminger*  
Executive Director

*Ann Flemer*  
Deputy Executive Director, Policy

*Andrew B. Fremier*  
Deputy Executive Director, Operations

**Programming and Allocations Committee**  
**January 11, 2012**  
**Minutes**

Chair Kinsey called the meeting to order at approximately 10:03 a.m. Committee members present were: Vice Chair Glover and Commissioners Bates, Cortese, Campos, Dodd, and Wiener. Commissioners Tissier and Rein Worth were present as ad hoc voting members of the Committee. Other Commissioners present as ad hoc members of the Committee were: Giacopini, Green, Haggerty, Mackenzie, and Spring.

**Consent Calendar**

The Committee unanimously approved the following consent items after a motion by Commissioner Dodd and a second by Commissioner Cortese:

- Minutes of December 14, 2011 meeting;
- 2011 Transportation Improvement Program (TIP) Amendment 2011-19. MTC Resolution No. 3975, Revised;
- Cycle 2 Lifeline Programming Revisions. MTC Resolution No. 3881, Revised;
- FY2011-12 and FY2012-13 FTA Nonurbanized Area Formula (Section 5311) Program of Projects. MTC Resolution No. 4048;
- Proposition 1B – Transit Security: FY2011-12 Population-based Funds Allocation Requests. MTC Resolution No. 3882, Revised;
- Proposed allocation of approximately \$2.5 million in Regional Measure 2 (RM2) Capital funds for the Benicia Intermodal Facilities project. MTC Resolution No. 3716, Revised;
- Allocation of \$12.4 million in Transportation Development Act (TDA) funds and \$2.2 million in Regional Measure 2 (RM2) funds to Golden Gate Transit for FY2011-12 transit operations. MTC Resolution Nos. 4025, Revised, and 4032, Revised; and
- 2012 RTIP Amendment. MTC Resolution No. 4038, Revised.

In addition, the Committee received one item for information: Quarterly Report of Executive Director's Delegated Authority Actions.

**Regional**

- *Public Hearing: Proposed Amendment to the Regional Measure 2 (RM2) Program for the Dumbarton Rail Project. MTC Resolution No. 3801, Revised.*

Commissioner Kinsey provided introductory comments and opened the public hearing. Anne Richman, MTC Programming and Allocations Section, presented a proposed amendment to Regional Measure 2 (RM2) that would change the project scope for the Dumbarton Rail operating project (#5) to allow funds to be used for bus operations in the Dumbarton Bridge corridor rather than for rail operations.

Commissioner Kinsey asked for public comment. There were five public speakers: Jim Bigelow representing Redwood City and San Mateo County Chambers and the Menlo Park Chamber, Mike Dubinsky representing taxpayers and citizens, Pat Piras unofficially representing the Transportation Committee of the San Francisco Chapter of the Sierra Club, Aidan Hughes representing San Mateo County Transportation Authority, and Cory LaVigne representing the Dumbarton Bridge Regional Operations Committee (DBROC). All speakers spoke in favor of the proposed RM2 action.

Commissioner Mark Green commented that he fully supports the redirection of operating funds for bus operations in the Dumbarton Bridge corridor and encouraged fellow Commissioners to support this item. He still supports the long term vision for rail in the corridor but recognizes this as a positive approach in the interim.

Commissioner Adrienne Tissier encouraged fellow Commissioners to support this item and commented that there is an influx of business in the southern counties.

Commissioner Jake Mackenzie commented that the RM2 process does work and that patience does prevail noting that the SMART Board of Directors recently approved a design/build contract of \$103 million to begin construction on the initial operating segment of rail between San Rafael and Santa Rosa.

The Committee, upon the motion of Commissioner Tissier with a second by Commissioner Cortese, unanimously approved the referral of MTC Resolution No. 3801, Revised to the Commission for approval.

### **Federal**

- *Release of \$10 million in FTA Section 5307 funding to AC Transit to support transit operations. MTC Resolution No. 3916, Revised.*

Kenneth Folan, MTC Programming and Allocations Section, presented a recommendation to release \$10 million in FTA Section 5307 funding to the Alameda-Contra Costa Transit District (AC Transit) to support transit operations.

Commissioner Mark Green noted that two of the four conditions presented are in some ways dependent upon the AC Transit expenditure plan being passed in November and that it is important to engage all AC Transit advocates.

Mary King, Interim General Manager of AC Transit, commented that a good cooperative relationship has been established with MTC staff and AC Transit has taken a leadership role with the Transit Sustainability Project (TSP) efforts to make difficult but necessary changes in order to be sustainable.

Commissioner Tom Bates asked for clarification on limit in the context of “avoid or limit service reductions” in one of the conditions stipulated in this item. Mr. Folan explained that the intent of the TSP is to work with AC Transit on an overall analysis of their system and should service reductions be necessary in the future, service adjustments then would be done in a way that impacts ridership as little as possible.

Commissioner Scott Haggerty commended Ms. King on her work with AC Transit and the role she has played in the TSP efforts.

The Committee, upon the motion of Commissioner Bates with a second by Commissioner Cortese, unanimously approved the referral of MTC Resolution No. 3916, Revised to the Commission for approval.

- *BART Railcar Replacement Project Status Update.*

Glen Tepke, MTC Programming and Allocations Section, Paul Oversier of BART, and Aaron Weinstein of BART, presented an update on the status of the BART Railcar Replacement project.

Commissioner Bill Dodd commented that the costs associated with the car replacement, in terms of overhead and miscellaneous costs, seems expensive and asked for an explanation. Mr. Oversier explained that the intent is to keep these costs at the lowest levels possible but the quantity and percentage of soft costs on this rail car project are affected by the duration of the contract and are in line with other rail car projects in the past. Inspectors will reside at the plant where production takes place for possibly more than a decade and these types of things are included in the costs presented.

Commissioner Scott Haggerty commented that local production of the rail cars should be strongly considered if it will keep the soft costs lower, and suggested the NUMI facility in Fremont. Additionally, he asked the seating capacity of the new rail cars in comparison to the old rail cars. Mr. Weinstein estimated that both the old and new cars seat, on average, 60 people. Commissioner Haggerty asked that staff follow-up to find out the seat capacity for the Metro cars in Washington DC.

Commissioner Amy Rein Worth concurred with comments made by Commissioners Dodd and Haggerty. She further commented that in the future it would be helpful to have the costs further broken down in the budget slides so that Commissioners have a better understanding of what is covered in each line item presented. Commissioner Worth further commented on seating and that long-haul ridership will likely increase in the future and expressed concern for having at least the same, if not more seating per car in the development of the new cars as well as greater input from the people that actually ride the cars.

Commissioner Tom Bates agreed with the comments made by previous Commissioners and further asked if the Skinner Bill (AB 153) requires that the new rail cars be assembled in California. Mr. Oversier explained that under the FTA regulations the only requirement is a domestic requirement. There is not a state or local preference allowable under the law; however, the BART Board of Directors are committed to local production to the extent that they can but from a legal stand point, when it comes to evaluating the bids and making a final decision the only thing that can be taken into consideration is the domestic content portion. Commissioner Bates asked for confirmation that sixty percent of the materials will be made in the United States and that the requirement is to assemble the cars in the United States and Mr. Oversier confirmed that this is correct.

Commissioner Mark Green asked for the assembly location for the candidates. Mr. Oversier explained that they only have knowledge of where their current main assembly facility is located and will not find out until the time of award. The main assembly plant of Bombardier and Alstom

are in upstate New York and Hyundai Rotem is in Philadelphia but this does not mean that this is the location for the final assembly of the cars, which will be a business and economic decision made by the car builder.

Commissioner Scott Haggerty stressed the importance of the rail cars being built in the Bay Area and that this is an opportunity for jobs to be created for the people that will actually create ridership.

This item was presented for information only.

### **State**

- *CMIA/TCIF Update and Funding Proposal.*

Kenneth Kao, MTC Programming and Allocations Section, presented a proposal to address the delivery delays for several Corridor Mobility Investment Account (CMIA/Trade Corridor Investment Fund (TCIF), projects and the redirection of funding.

Commissioner Dave Cortese asked what the timing is like in terms of competing for the last \$5 million in what is an overall \$100 million project, and what are the chances of persuading CTC to support this effort. Alix Bockelman responded that \$32 million was requested for the project and CTC staff approved \$24 million. The challenge is that CTC has a certain policy framework in which they will not provide one hundred percent of CMIA funds even though the situation is now that there are savings throughout the northern part of the state. MTC staff is attempting to work within this framework but is open to other strategies. Commissioner Cortese advised that he would follow-up with some suggestions on how to move forward.

Omar Benjamin, Executive Director, Port of Oakland expressed his appreciation to MTC staff in partnering with the Port. The Seventh Street and the Outer Harbor Intermodal Terminal projects are the backbone of the Oakland Army Base development that the Port is working on in partnership with the City of Oakland and the support of MTC. The Port has been successful in moving these projects forward under the Trade Corridor Investment Fund (TCIF) program and look forward to meeting all of the delivery milestones called for under the TCIF program and as required by the CTC.

Commissioner Steve Kinsey asked if put in a position to have to prioritize projects, which of the two projects it would prioritize. Mr. Benjamin responded that both projects are critical and he would appreciate the opportunity to continue to work with MTC staff to develop a strategy before responding to this question.

Commissioner Mark Green commented that he understands the need to move forward with both projects and asked at what point will the Commission need to know the priority of projects from the Port. Ms. Bockelman responded that by March decisions will have been made by the CTC to deprogram CMIA and TCIF funds, and to reprogram other projects.

Commissioner Jim Spering encouraged the Committee to forward the recommendation because some of the funds do have time constraints and staff has developed a good strategy to keep these funds within the region.

Commissioner Steve Kinsey directed staff to work with the CTC and the Northern California Trade Coalition to fund the TCIF projects and to work with the CTC and affected Congestion Management Agencies to fund the potential CMIA projects.

### **California Transportation Commission Update**

The Committee received, in writing, updates on the California Transportation Commission (CTC) meeting held on December 14 and 15, in Riverside, CA.

### **Public Comment**

Richard Napier, City/County Association of Governments of San Mateo County commended MTC Commissioners and MTC and ABAG staff who attended the OneBayArea Grant meeting held January 10 on their professionalism. There was some very constructive input heard during the meeting.

Commissioner Kinsey announced that he will step aside as the Chair of the Programming and Allocations Committee effective today.

Commissioner Kinsey adjourned the meeting at approximately 11:45 a.m.