

# Metropolitan Transportation Commission Programming and Allocations Committee

September 13, 2006

Item Number 3b

## Exception to Adopted RM2 Policies and Procedures for ACCMA/AC Transit Ardenwood Park and Ride Lot Right-of-Way Purchase

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- Subject:** Exception to RM2 Policies and Procedures, allowing expenditures that occur prior to allocation to remain eligible for reimbursement should an allocation be subsequently granted.
- Background:** The Alameda County Congestion Management Agency (ACCMA) and Alameda Contra Costa Transit (AC Transit) approached MTC staff in July to request allocation of right-of-way funding for an expanded park and ride lot at SR-84 and Ardenwood. MTC is unable to consider an allocation to the expanded project, per the California Environmental Quality Act (CEQA), because a supplemental environmental document is not yet complete. However, the seller of the land and AC Transit, the purchaser, wish to expedite the transaction; otherwise, the seller will pursue other options for the land. AC Transit requested that expenditures associated with purchase of the property in advance of an allocation of RM2 funds remain eligible should an allocation be subsequently granted by the Commission.
- Issues:** The RM2 Policies and Procedures require an allocation prior to incurring costs on a project. However, since AC Transit is purchasing the property at its own risk, with knowledge that MTC cannot allocate funds if the environmental document is not approved, staff recommends making an exception to the policy. For this project, staff recommends AC Transit be eligible to receive reimbursement for eligible expenses should MTC approve the expanded right-of-way allocation request. AC Transit understands that it will submit an allocation request for consideration once the environmental document is approved. Should the Commission approve an allocation, the date of eligible expenditures for the Ardenwood right-of-way acquisition would begin on the day the Commission approves the exception.
- Recommendation:** Refer this exception to the RM2 Policies and Procedures for the Ardenwood Park and Ride Right-of-Way Acquisition to the Commission for approval.
- Attachments:** None.