

Metropolitan Transportation Commission Programming and Allocations Committee

June 13, 2007

Item Number 4a

Resolution No. 3801

Subject: Amendments 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. Last year, an amendment (AB 1407, enacted September 29, 2006) to the RM2 statute expanded this provision to include the reassignment of 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, the Commission has the authority to hold a public hearing to reassign the RM2 funds to another project. Pursuant to Section 30914(f) of the California Streets and Highways Code, MTC must consult with the project sponsor listed in the statute and hold a public hearing prior to taking action.

Staff is proposing to exercise this authority to reassign \$62 million in RM2 funds from the Bay Area Rapid Transit (BART) Transbay Tube Seismic Retrofit project to 1) the BART Oakland Airport Connector, an existing RM2 project, and 2) the BART Transit Capital Match, a new RM2 project. BART supports both amendments. The proposal and project information was released for a public review and comment period beginning on May 11, 2007 and ending at 10 a.m. on June 13, 2007. A public hearing on the documents will be held at the Programming and Allocations Committee meeting on June 13, 2007. The final proposal will be presented for approval at the June 27, 2007 Commission meeting.

Issues: 1) These two “funding swaps” are necessary in order (a) to assist BART in using a public-private partnership model in delivering the Oakland Airport Connector, and (b) to implement the BART/SamTrans Separation agreement approved by the Commission in February 2007.

2) Staff has added a condition that makes the RM2 funding exchange contingent upon the California Transportation Commission approving an allocation of \$38 million in STIP funds to the BART Transbay Tube Seismic Retrofit project in FY 07-08, expected in July 2007. The STIP funds are programmed through adoption of the 2006 STIP Augmentation.

Recommendation: Refer Resolution No. 3801 to the Commission for approval.

Attachment: Executive Director’s Memorandum
Resolution No. 3801



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Programming and Allocations Committee

DATE: June 13, 2007

FR: Executive Director

RE: Regional Measure 2 Program: Project Amendments

Regional Measure 2 Statute Provisions

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 can't continue as statutorily scoped. Last year, an amendment (AB 1407, enacted September 29, 2006) to the RM2 Statute expanded this provision to include funding reassignment under special circumstances. Specifically, if a project can be implemented with new funding from non-toll funds, the Commission has the authority to hold a public hearing to reassign the RM 2 funds to another project. Pursuant to Section 30914(f) of the California Streets and Highways Code, MTC must consult with the project sponsor listed in the statute and hold a public hearing prior to taking action.

While this provision provides more flexibility in implementing projects, staff intends to use caution and scrutiny when exercising this authority and holding public hearings. Generally, staff will only consider amending the RM2 Program under special circumstances and to aid in project delivery for projects facing major obstacles.

Proposed Project Amendments

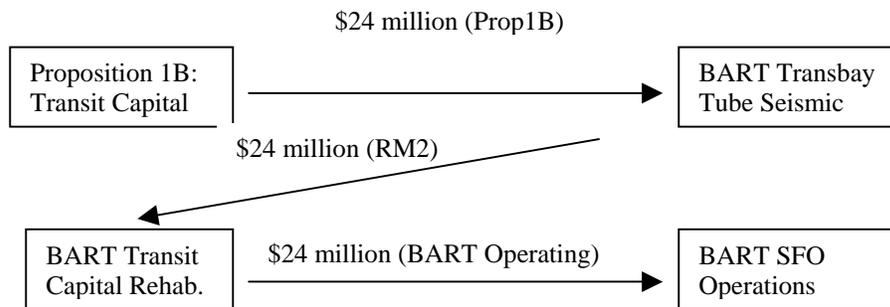
Before the Commission this month is the first proposed amendment to the RM2 program. The Bay Area Rapid Transit District (BART) has requested two reassignments of RM2 funds: 1) from the BART Transbay Tube Seismic Retrofit to BART Oakland Airport Connector, and 2) from the BART Transbay Tube Seismic Retrofit project to the BART Transit Capital Match project (as summarized in Attachment 1). Below is a detailed description of BART's request.

Proposal 1: BART Transbay Tube Seismic Retrofit– BART Oakland Airport Connector

The Oakland Airport Connector (OAC) project has been environmentally cleared and is beginning to enter the final design-build process as a public -private partnership. The project is funded through a variety of local, RM2 toll, and State Transportation Improvement Program (STIP) funds. However, the State funds cannot be used on public-private partnership projects, thereby creating a funding gap for the project. To address this problem, swaps within BART's RM2 projects are being proposed. BART, Alameda County Congestion Management Agency (ACCMA) and MTC staff are proposing to shift \$38 million in RM2 funds from the BART Transbay Tube Seismic Retrofit project to the OAC project. In exchange, \$38 million in STIP funds on the OAC project would be reprogrammed to the BART Transbay Tube Seismic Retrofit project. The OAC project is currently funded at \$30 million in RM2 funds and this exchange would increase its RM2 funds to \$68 million. This proposed swap allows BART to proceed with a public-private partnership project and to keep the STIP funds on a BART project.

Proposal 2: BART Transbay Tube Seismic/ SFO Reserve account – BART Transit Capital Match

In February, the Commission approved a three party agreement between BART, SamTrans and MTC that resolves cost sharing conflicts on the operation of the BART-SFO service (MTC Resolution No 3795). As part of this agreement, MTC agreed to set aside \$24 million in regional capacity from Proposition 1B funds towards the operation of the BART SFO service. However, Proposition 1B funds can only be used for capital expenditures. To make transit-operating funds available for use, a funding exchange between three BART projects is being proposed, keeping the total funding amount for all of these projects the same. Specifically, \$24 million in RM2 funds from the BART Transbay Tube Seismic Retrofit project are proposed for programming as local match to BART's fixed guideway rehabilitation and replacement project (federally funded). This frees up \$24 million in operating funds, which were to be used by BART as match to the federal funds, to be used instead for operating the BART SFO service. To backfill the RM2 funds on the BART Transbay Tube Seismic Retrofit project created by this swap, MTC will program Proposition 1B funds for that purpose as soon as these funds are available.



Summary of Proposed Changes

From these two amendments, a total of \$62 million is proposed for reassignment from the BART Transbay Tube Seismic Retrofit project. These RM2 funds will be redirected to an existing RM2 project, the BART Oakland Airport Connector (\$38 million) and a new proposed RM2 project, Transit Capital Match (\$24 million). The total RM2 funding contribution for the BART Transbay Tube Seismic Retrofit project will be reduced from \$143 million to \$81 million and the OAC will be increased from its current \$30 million to \$68 million, upon approval of the proposed changes.

Partner Agency and Public Review

In May, staff presented the proposal to several Partnership Committees that support the proposals. A public notice was released on May 11, 2007. The written comment period on the proposed amendments ends at 10 am on June 13, 2007, followed by a public hearing at 10 am on June 13, 2007 at the Programming and Allocations Committee meeting. The final proposal will be presented for approval at the June 27, 2007 Commission meeting.

Recommendation

Staff recommends that the Programming and Allocations Committee forward Resolution No. 3801 to the Commission for approval.

Steve Heminger

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

ABSTRACT

MTC Resolution No. 3801

This resolution approves amendments to the Regional Measure 2 program for project scope changes, funding amounts, or addition and deletion of projects as permitted by Streets and Highways Code Section 30914 *et seq.*

This resolution includes the following attachments:

Attachment A – Amendment Actions

Attachment B – Updated Regional Measure 2 Project List

Attachment C – Terms and Conditions of project amendments

Additional discussion of this allocation is contained in the summary sheet to the MTC Programming and Allocations Committee dated June 13, 2007.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Re: Approval of Amendment to the Regional Measure 2 Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3801

WHEREAS, pursuant to Government Code Section 66500 et seq., the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, Streets and Highways Code Sections 30914(f) specify provisions for authorizing modifications to the RM2 program; and

WHEREAS, MTC has been requested to modify the RM2 Program; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, summarizes the amendments to the RM2 Program; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, is the updated project list for the RM2 Program; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, lists the terms and conditions for the projects proposed to be included in the amended RM2 Program; and

WHEREAS, a public hearing was held to receive comment on the amendments to the RM2 Program; now therefore be it

RESOLVED, that MTC adopts the amendments to the RM2 program, as set forth in Attachment A; and be it further

RESOLVED, that MTC adopts the updated project list, as set forth in Attachment B; and be it further

RESOLVED, that MTC approves the terms and conditions, as set forth in Attachment C.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on June 27, 2007.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Attachment A
Resolution No. 3801
Page 1 of 2

Regional Measure 2 Program: Summary of Amendments

CAPITAL PROJECT AMENDMENTS

Amendment #1, effective June 27, 2007 (note the public hearing was held on June 13, 2007)

Amendment Action	RM 2 ID	Original Project Description	Project Scope Change	Project Funding Change	Revised Description
a) Shift \$38 million in RM2 funds from the Tube Seismic Project to the Oakland Airport Connector Project. State Transportation Improvement Program (STIP) funds totaling \$38 million were reprogrammed from the Oakland Airport Connector to the Tube Seismic Project.	(21)	BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. One hundred forty-three million dollars (\$143,000,000). The project sponsor is BART.	None	- \$ 38,000000	BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. One hundred forty-three million dollars (\$143,000,000). One hundred five million dollars (\$105,000,000). The project sponsor is BART.
	(23)	Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector. Thirty million dollars (\$30,000,000). The project sponsors are the Port of Oakland and BART.	None	+ \$ 38,000000	Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector. Thirty million dollars (\$30,000,000). Sixty-eight million dollars (\$68,000,000). The project sponsors are the Port of Oakland and BART.
Net Fiscal Impact to RM2 Overall Program:					\$ 0

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Attachment B
Resolution No. 3801
Page 1 of 8

Regional Measure 2 Program: Updated Project List
(changes are noted in italics)

Streets and Highways Code Sections 30914(c)

- (1) BART/MUNI Connection at Embarcadero and Civic Center Stations. Provide direct access from the BART platform to the MUNI platform at the above stations and equip new fare gates that are TransLink® ready. Three million dollars (\$3,000,000). The project sponsor is BART.
- (2) MUNI Metro Third Street Light Rail Line. Provide funding for the surface and light rail transit and maintenance facility to support MUNI Metro Third Street Light Rail service connecting to Caltrain stations and the E-Line waterfront line. Thirty million dollars (\$30,000,000). The project sponsor is MUNI.
- (3) MUNI Waterfront Historic Streetcar Expansion. Provide funding to rehabilitate historic streetcars and construct trackage and terminal facilities to support service from the Caltrain Terminal, the Transbay Terminal, and the Ferry Building, and connecting the Fisherman's Wharf and northern waterfront. Ten million dollars (\$10,000,000). The project sponsor is MUNI.
- (4) East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge. Provide funding for the necessary track and station improvements and rolling stock to interconnect the BART and Capitol Corridor at Union City with Caltrain service over the Dumbarton Rail Bridge, and interconnect and provide track improvements for the ACE line with the same Caltrain service at Centerville. Provide a new station at Sun Microsystems in Menlo Park. One hundred thirty-five million dollars (\$135,000,000). The project is jointly sponsored by the San Mateo County Transportation Authority, Capitol Corridor, the Alameda County Congestion Management Agency, and the Alameda County Transportation Improvement Authority.
- (5) Vallejo Station. Construct intermodal transportation hub for bus and ferry service, including parking structure, at site of Vallejo's current ferry terminal. Twenty-eight million dollars (\$28,000,000). The project sponsor is the City of Vallejo.
- (6) Solano County Express Bus Intermodal Facilities. Provide competitive grant fund source, to be administered by the Metropolitan Transportation Commission. Eligible projects are

Curtola Park and Ride, Benicia Intermodal Facility, Fairfield Transportation Center and Vacaville Intermodal Station. Priority to be given to projects that are fully funded, ready for construction, and serving transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes. Twenty million dollars (\$20,000,000). The project sponsor is Solano Transportation Authority.

- (7) Solano County Corridor Improvements near Interstate 80/Interstate 680 Interchange. Provide funding for improved mobility in corridor based on recommendations of joint study conducted by the Department of Transportation and the Solano Transportation Authority. Cost-effective transit infrastructure investment or service identified in the study shall be considered a high priority. One hundred million dollars (\$100,000,000). The project sponsor is Solano Transportation Authority.
- (8) Interstate 80: Eastbound High-Occupancy Vehicle (HOV) Lane Extension from Route 4 to Carquinez Bridge. Construct HOV-lane extension. Fifty million dollars (\$50,000,000). The project sponsor is the Department of Transportation.
- (9) Richmond Parkway Transit Center. Construct parking structure and associated improvements to expand bus capacity. Sixteen million dollars (\$16,000,000). The project sponsor is Alameda-Contra Costa Transit District, in coordination with West Contra Costa Transportation Advisory Committee, Western Contra Costa Transit Authority, City of Richmond, and the Department of Transportation.
- (10) Sonoma-Marin Area Rail Transit District (SMART) Extension to Larkspur or San Quentin. Extend rail line from San Rafael to a ferry terminal at Larkspur or San Quentin. Thirty-five million dollars (\$35,000,000). Up to five million dollars (\$5,000,000) may be used to study, in collaboration with the Water Transit Authority, the potential use of San Quentin property as an intermodal water transit terminal. The project sponsor is SMART.
- (11) Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal by constructing a new full service diamond interchange at Wornum Drive south of the Greenbrae Interchange, extending a multiuse pathway from the new interchange at Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill rail right-of-way, adding a new lane to East Sir Francis Drake Boulevard and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000). The project sponsor is Marin County Congestion Management Agency.
- (12) Direct High-Occupancy Vehicle (HOV) lane connector from Interstate 680 to the Pleasant Hill or Walnut Creek BART stations or in close proximity to either station or as an extension of the southbound Interstate 680 High-Occupancy Vehicle Lane through the

Interstate 680/State Highway Route 4 interchange from North Main in Walnut Creek to Livorna Road. The County Connection shall utilize up to one million dollars (\$1,000,000) of the funds described in this paragraph to develop options and recommendations for providing express bus service on the Interstate 680 High-Occupancy Vehicle Lane south of the Benicia Bridge in order to connect to BART. Upon completion of the plan, the Contra Costa Transportation Authority shall adopt a preferred alternative provided by the County Connection plan for future funding. Following adoption of the preferred alternative, the remaining funds may be expended either to fund the preferred alternative or to extend the high-occupancy vehicle lane as described in this paragraph. Fifteen million dollars (\$15,000,000). The project is sponsored by the Contra Costa Transportation Authority.

- (13) Rail Extension to East Contra Costa/E-BART. Extend BART from Pittsburg/Bay Point Station to Byron in East Contra Costa County. Ninety-six million dollars (\$96,000,000). Project funds may only be used if the project is in compliance with adopted BART policies with respect to appropriate land use zoning in vicinity of proposed stations. The project is jointly sponsored by BART and Contra Costa Transportation Authority.
- (14) Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor. Fund track and station improvements, including the Suisun Third Main Track and new Fairfield Station. Twenty-five million dollars (\$25,000,000). The project sponsor is Capitol Corridor Joint Powers Authority and the Solano Transportation Authority.
- (15) Central Contra Costa Bay Area Rapid Transit (BART) Crossover. Add new track before Pleasant Hill BART Station to permit BART trains to cross to return track towards San Francisco. Twenty-five million dollars (\$25,000,000). The project sponsor is BART.
- (16) Benicia-Martinez Bridge: New Span. Provide partial funding for completion of new five-lane span between Benicia and Martinez to significantly increase capacity in the I-680 corridor. Fifty million dollars (\$50,000,000). The project sponsor is the Bay Area Toll Authority.
- (17) Regional Express Bus North. Competitive grant program for bus service in Richmond-San Rafael Bridge, Carquinez, Benicia-Martinez and Antioch Bridge corridors. Provide funding for park and ride lots, infrastructure improvements, and rolling stock. Eligible recipients include Golden Gate Bridge Highway and Transportation District, Vallejo Transit, Napa VINE, Fairfield-Suisun Transit, Western Contra Costa Transit Authority, Eastern Contra Costa Transit Authority, and Central Contra Costa Transit Authority. The Golden Gate Bridge Highway and Transportation District shall receive a minimum of one million six hundred thousand dollars (\$1,600,000). Napa VINE shall receive a minimum of two million four hundred thousand dollars (\$2,400,000). Twenty million dollars (\$20,000,000). The project sponsor is the Metropolitan Transportation Commission.

- (18) TransLink. Integrate the Bay Area's regional smart card technology, TransLink, with operator fare collection equipment and expand system to new transit services. Twenty-two million dollars (\$22,000,000). The project sponsor is the Metropolitan Transportation Commission.
- (19) Real-Time Transit Information. Provide a competitive grant program for transit operators for assistance with implementation of high-technology systems to provide real-time transit information to riders at transit stops or via telephone, wireless, or Internet communication. Priority shall be given to projects identified in the commission's connectivity plan adopted pursuant to subdivision (d) of Section 30914.5. Twenty million dollars (\$20,000,000). The funds shall be administered by the Metropolitan Transportation Commission.
- (20) Safe Routes to Transit: Plan and construct bicycle and pedestrian access improvements in close proximity to transit facilities. Priority shall be given to those projects that best provide access to regional transit services. Twenty-two million five hundred thousand dollars (\$22,500,000). City Car Share shall receive two million five hundred thousand dollars (\$2,500,000) to expand its program within approximately one-quarter mile of transbay regional transit terminals or stations. The City Car Share project is sponsored by City Car Share and the Safe Routes to Transit project is jointly sponsored by the East Bay Bicycle Coalition and the Transportation and Land Use Coalition. These sponsors must identify a public agency cosponsor for purposes of specific project fund allocations.
- (21) BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. *Eighty-one million dollars (\$81,000,000)*. The project sponsor is BART.^[1]
- (22) Transbay Terminal/Downtown Caltrain Extension. A new Transbay Terminal at First and Mission Streets in San Francisco providing added capacity for transbay, regional, local, and intercity bus services, the extension of Caltrain rail services into the terminal, and accommodation of a future high-speed passenger rail line to the terminal and eventual rail connection to the east bay. Eligible expenses include project planning, design and engineering, construction of a new terminal and its associated ramps and tunnels, demolition of existing structures, design and development of a temporary terminal, property and right-of-way acquisitions required for the project, and associated project-related administrative expenses. A bus- and train-ready terminal facility, including purchase and acquisition of necessary rights-of-way for the terminal, ramps, and rail extension, is the first priority for toll funds for the Transbay Terminal/Downtown Caltrain Extension Project. The temporary terminal operation shall not exceed five years. One hundred fifty million dollars (\$150,000,000). The project sponsor is the Transbay Joint Powers Authority.
- (23) Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for

the connector. *Sixty-eight million dollars (\$68,000,000)*. The project sponsors are the Port of Oakland and BART.^[1]

- (24) AC Transit Enhanced Bus-Phase 1 on Telegraph Avenue, International Boulevard, and East 14th Street (Berkeley-Oakland-San Leandro). Develop enhanced bus service on these corridors, including bus bulbs, signal prioritization, new buses, and other improvements. Priority of investment shall improve the AC connection to BART on these corridors. Sixty-five million dollars (\$65,000,000). The project sponsor is AC Transit.
- (25) Commute Ferry Service for Alameda/Oakland/Harbor Bay. Purchase two vessels for ferry services between Alameda and Oakland areas and San Francisco. Second vessel funds to be released upon demonstration of appropriate terminal locations, new transit-oriented development, adequate parking, and sufficient landside feeder connections to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements.
- (26) Commute Ferry Service for Berkeley/Albany. Purchase two vessels for ferry services between the Berkeley/Albany Terminal and San Francisco. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements. If the Water Transit Authority does not have an entitled terminal site within the Berkeley/Albany catchment area by 2010 that meets its requirements, the funds described in this paragraph and the operating funds described in paragraph (7) of subdivision (d) shall be transferred to another site in the East Bay. The City of Richmond shall be given first priority to receive this transfer of funds if it has met the planning milestones identified in its special study developed pursuant to paragraph (28).
- (27) Commute Ferry Service for South San Francisco. Purchase two vessels for ferry services to the Peninsula. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements.
- (28) Water Transit Facility Improvements, Spare Vessels, and Environmental Review Costs. Provide two backup vessels for water transit services, expand berthing capacity at the Port of San Francisco, and expand environmental studies and design for eligible locations. Forty-eight million dollars (\$48,000,000). The project sponsor is Water Transit Authority.

Up to one million dollars (\$1,000,000) of the funds described in this paragraph shall be made available for the Water Transit Authority to study accelerating development and other milestones that would potentially increase ridership at the City of Richmond ferry terminal.

- (29) Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors. Expand park and ride lots, improve HOV access, construct ramp improvements, and purchase rolling stock. Twenty-two million dollars (\$22,000,000). The project sponsors are AC Transit and Alameda County Congestion Management Agency.
- (30) I-880 North Safety Improvements. Reconfigure various ramps on I-880 and provide appropriate mitigations between 29th Avenue and 16th Avenue. Ten million dollars (\$10,000,000). The project sponsors are Alameda County Congestion Management Agency, City of Oakland, and the Department of Transportation.
- (31) BART Warm Springs Extension. Extension of the existing BART system from Fremont to Warm Springs in southern Alameda County. Ninety-five million dollars (\$95,000,000). Up to ten million dollars (\$10,000,000) shall be used for grade separation work in the City of Fremont necessary to extend BART. The project would facilitate a future rail service extension to the Silicon Valley. The project sponsor is BART.
- (32) I-580 (Tri Valley) Rapid Transit Corridor Improvements. Provide rail or High-Occupancy Vehicle lane direct connector to Dublin BART and other improvements on I-580 in Alameda County for use by express buses. Sixty-five million dollars (\$65,000,000). The project sponsor is Alameda County Congestion Management Agency.
- (33) Regional Rail Master Plan. Provide planning funds for integrated regional rail study pursuant to subdivision (f) of Section 30914.5. Six million five hundred thousand dollars (\$6,500,000). The project sponsors are Caltrain and BART.
- (34) Integrated Fare Structure Program. Provide planning funds for the development of zonal monthly transit passes pursuant to subdivision (e) of Section 30914.5. One million five hundred thousand dollars (\$1,500,000). The project sponsor is the TransLink® Consortium.
- (35) Transit Commuter Benefits Promotion. Marketing program to promote tax-saving opportunities for employers and employees as specified in Section 132(f)(3) or 162(a) of the Internal Revenue Code. Goal is to increase the participation rate of employers offering employees a tax-free benefit to commute to work by transit. The project sponsor is the Metropolitan Transportation Commission. Five million dollars (\$5,000,000).
- (36) Caldecott Tunnel Improvements. Provide funds to plan and construct a fourth bore at the Caldecott Tunnel between Contra Costa and Alameda Counties. The fourth bore will be a

two-lane bore with a shoulder or shoulders north of the current three bores. The County Connection shall study all feasible alternatives to increase transit capacity in the westbound corridor of State Highway Route 24 between State Highway Route 680 and the Caldecott Tunnel, including the study of the use of an express lane, high-occupancy vehicle lane, and an auxiliary lane. The cost of the study shall not exceed five hundred thousand dollars (\$500,000) and shall be completed not later than January 15, 2006. Fifty million five hundred thousand dollars (\$50,500,000). The project sponsor is the Contra Costa Transportation Authority.

- (37) *BART Transit Capital Match. Provide local matching funds to BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in FY 06-07 and FY 07-08. Twenty-four million dollars (\$24,000,000). The project sponsor is the Bay Area Rapid Transit District.⁽¹⁾*

Streets and Highways Code Sections 30914(d)

Not more than 38 percent of the revenues generated from the toll increase shall be made available annually for the purpose of providing operating assistance for transit services as set forth in the authority's annual budget resolution. The funds shall be made available to the provider of the transit services subject to the performance measures described in Section 30914.5. If the funds cannot be obligated for operating assistance consistent with the performance measures, these funds shall be obligated for other operations consistent with this chapter.

Except for operating programs that do not have planned funding increases and subject to the 38-percent limit on total operating cost funding in any single year, following the first year of scheduled operations, an escalation factor, not to exceed 1.5 percent per year, shall be added to the operating cost funding through fiscal year 2015 -16, to partially offset increased operating costs. The escalation factors shall be contained in the operating agreements described in Section 30914.5. Subject to the limitations of this paragraph, the Metropolitan Transportation Commission may annually fund the following operating programs as another component of the Regional Traffic Relief Plan:

- (1) Golden Gate Express Bus Service over the Richmond Bridge (Route 40). Two million one hundred thousand dollars (\$2,100,000).
- (2) Napa Vine Service terminating at the Vallejo Intermodal Terminal. Three hundred ninety thousand dollars (\$390,000).
- (3) Regional Express Bus North Pool serving the Carquinez and Benicia Bridge Corridors. Three million four hundred thousand dollars (\$3,400,000).

- (4) Regional Express Bus South Pool serving the Bay Bridge, San Mateo Bridge, and Dumbarton Bridge Corridors. Six million five hundred thousand dollars (\$6,500,000).
- (5) Dumbarton Rail. Five million five hundred thousand dollars (\$5,500,000).
- (6) Water Transit Authority, Alameda/Oakland/Harbor Bay. A portion of the operating funds may be dedicated to landside transit operations. Six million four hundred thousand dollars (\$6,400,000).
- (7) Water Transit Authority, Berkeley/Albany. A portion of the operating funds may be dedicated to landside transit operations. Three million two hundred thousand dollars (\$3,200,000).
- (8) Water Transit Authority, South San Francisco. A portion of the operating funds may be dedicated to landside operations. Three million dollars (\$3,000,000).
- (9) Vallejo Ferry. Two million seven hundred thousand dollars (\$2,700,000).
- (10) Owl Bus Service on BART Corridor. One million eight hundred thousand dollars (\$1,800,000).
- (11) MUNI Metro Third Street Light Rail Line. Two million five hundred thousand dollars (\$2,500,000) without escalation.
- (12) AC Transit Enhanced Bus Service on Telegraph Avenue, International Boulevard, and East 14th Street in Berkeley-Oakland-San Leandro. Three million dollars (\$3,000,000) without escalation.
- (13) TransLink, three-year operating program. Twenty million dollars (\$20,000,000) without escalation.
- (14) Water Transit Authority, regional planning and operations. Three million dollars (\$3,000,000) without escalation.

Footnote: ^[1] A public hearing was held on June 13, 2007 to consider two funding changes: 1) Transfer \$38 million from the BART Tube Seismic Retrofit Project to the BART Oakland Airport Connector and 2) Transfer \$24 million from the BART Tube Seismic Retrofit Project to a newly added project Transit Capital Match. As a result the following changes are effective as of June 27, 2007. The BART Tube Seismic Retrofit project is reduced to \$81 million in funding from its original amount of \$143 million approved on March 2, 2004. Funding on the BART

Oakland Airport Connector Project is increased from its original amount of \$30 million to \$68 million. Project #37, BART Transit Capital Match, has been added to the RM2 program and funded at \$24 million.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

ABSTRACT

MTC Resolution No. 3801

This resolution approves amendments to the Regional Measure 2 program for project scope changes, funding amounts, or addition and deletion of projects as permitted by Streets and Highways Code Section 30914 *et seq.*

This resolution includes the following attachments:

Attachment A – Amendment Actions

Attachment B – Updated Regional Measure 2 Project List

Attachment C – Terms and Conditions of project amendments

Additional discussion of this allocation is contained in the summary sheet to the MTC Programming and Allocations Committee dated June 13, 2007.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Re: Approval of Amendment to the Regional Measure 2 Program

METROPOLITAN TRANSPORTATION COMMISSION
RESOLUTION No. 3801

WHEREAS, pursuant to Government Code Section 66500 et seq., the Metropolitan Transportation Commission (“MTC”) is the regional transportation planning agency for the San Francisco Bay Area; and

WHEREAS, Streets and Highways Code Sections 30950 *et seq.* created the Bay Area Toll Authority (“BATA”) which is a public instrumentality governed by the same board as that governing MTC; and

WHEREAS, on March 2, 2004, voters approved Regional Measure 2, increasing the toll for all vehicles on the seven state-owned toll bridges in the San Francisco Bay Area by \$1.00, with this extra dollar funding various transportation projects within the region that have been determined to reduce congestion or to make improvements to travel in the toll bridge corridors, as identified in SB 916 (Chapter 715, Statutes of 2004), commonly referred as Regional Measure 2 (“RM2”); and

WHEREAS, RM2 establishes the Regional Traffic Relief Plan and lists specific capital projects and programs and transit operating assistance eligible to receive RM2 funding as identified in Streets and Highways Code Sections 30914(c) & (d); and

WHEREAS, RM2 assigns administrative duties and responsibilities for the implementation of the Regional Traffic Relief Plan to MTC; and

WHEREAS, BATA shall fund the projects of the Regional Traffic Relief Plan by transferring RM2 authorized funds to MTC; and

WHEREAS, Streets and Highways Code Sections 30914(f) specify provisions for authorizing modifications to the RM2 program; and

WHEREAS, MTC has been requested to modify the RM2 Program; and

WHEREAS, Attachment A to this resolution, attached hereto and incorporated herein as though set forth at length, summarizes the amendments to the RM2 Program; and

WHEREAS, Attachment B to this resolution, attached hereto and incorporated herein as though set forth at length, is the updated project list for the RM2 Program; and

WHEREAS, Attachment C to this resolution, attached hereto and incorporated herein as though set forth at length, lists the terms and conditions for the projects proposed to be included in the amended RM2 Program; and

WHEREAS, a public hearing was held to receive comment on the amendments to the RM2 Program; now therefore be it

RESOLVED, that MTC adopts the amendments to the RM2 program, as set forth in Attachment A; and be it further

RESOLVED, that MTC adopts the updated project list, as set forth in Attachment B; and be it further

RESOLVED, that MTC approves the terms and conditions, as set forth in Attachment C.

METROPOLITAN TRANSPORTATION COMMISSION

Bill Dodd, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at the regular meeting of the Commission held in Oakland, California, on June 27, 2007.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Attachment A
Resolution No. 3801
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Regional Measure 2 Program: Summary of Amendments

CAPITAL PROJECT AMENDMENTS

Amendment #1, effective June 27, 2007 (note the public hearing was held on June 13, 2007)

Amendment Action	RM 2 ID	Original Project Description	Project Scope Change	Project Funding Change	Revised Description
a) Shift \$38 million in RM2 funds from the Tube Seismic Project to the Oakland Airport Connector Project. State Transportation Improvement Program (STIP) funds totaling \$38 million were reprogrammed from the Oakland Airport Connector to the Tube Seismic Project.	(21)	BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. One hundred forty-three million dollars (\$143,000,000). The project sponsor is BART.	None	- \$ 38,000000	BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. One hundred forty-three million dollars (\$143,000,000). One hundred five million dollars (\$105,000,000). The project sponsor is BART.
	(23)	Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector. Thirty million dollars (\$30,000,000). The project sponsors are the Port of Oakland and BART.	None	+ \$ 38,000000	Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for the connector. Thirty million dollars (\$30,000,000). Sixty-eight million dollars (\$68,000,000). The project sponsors are the Port of Oakland and BART.
Net Fiscal Impact to RM2 Overall Program:					\$ 0

Amendment Action	RM 2 ID	Original Project Description	Project Scope Change	Project Funding Change
b) Shift \$24 million in RM2 funds from the Tube Seismic Project to a new project, BART Transit Capital Match. In accordance with MTC Resolution No. 3795 MTC programs \$24 million in State Proposition 1B Transit funds to the Tube Seismic Project.	(21)	BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. One hundred forty-three million dollars (\$143,000,000). The project sponsor is BART.	None	BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. One hundred forty-three million dollars (\$143,000,000). Eighty-one million dollars (\$81,000,000). The project sponsor is BART.
	(37)	N/A	Add new Project	<i>BART Transit Capital Match. Provide local matching funds to BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in FY 06-07 and FY 07-08. Twenty-four million dollars (\$24,000,000). The project sponsor is the Bay Area Rapid Transit District.</i>
			+ \$ 24,000000	
		Net Fiscal Impact to RM2 Overall Program:		\$ 0

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Attachment B
Resolution No. 3801
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Regional Measure 2 Program: Updated Project List
(changes are noted in italics)

Streets and Highways Code Sections 30914(c)

- (1) BART/MUNI Connection at Embarcadero and Civic Center Stations. Provide direct access from the BART platform to the MUNI platform at the above stations and equip new fare gates that are TransLink® ready. Three million dollars (\$3,000,000). The project sponsor is BART.
- (2) MUNI Metro Third Street Light Rail Line. Provide funding for the surface and light rail transit and maintenance facility to support MUNI Metro Third Street Light Rail service connecting to Caltrain stations and the E-Line waterfront line. Thirty million dollars (\$30,000,000). The project sponsor is MUNI.
- (3) MUNI Waterfront Historic Streetcar Expansion. Provide funding to rehabilitate historic streetcars and construct trackage and terminal facilities to support service from the Caltrain Terminal, the Transbay Terminal, and the Ferry Building, and connecting the Fisherman's Wharf and northern waterfront. Ten million dollars (\$10,000,000). The project sponsor is MUNI.
- (4) East to West Bay Commuter Rail Service over the Dumbarton Rail Bridge. Provide funding for the necessary track and station improvements and rolling stock to interconnect the BART and Capitol Corridor at Union City with Caltrain service over the Dumbarton Rail Bridge, and interconnect and provide track improvements for the ACE line with the same Caltrain service at Centerville. Provide a new station at Sun Microsystems in Menlo Park. One hundred thirty-five million dollars (\$135,000,000). The project is jointly sponsored by the San Mateo County Transportation Authority, Capitol Corridor, the Alameda County Congestion Management Agency, and the Alameda County Transportation Improvement Authority.
- (5) Vallejo Station. Construct intermodal transportation hub for bus and ferry service, including parking structure, at site of Vallejo's current ferry terminal. Twenty-eight million dollars (\$28,000,000). The project sponsor is the City of Vallejo.
- (6) Solano County Express Bus Intermodal Facilities. Provide competitive grant fund source, to be administered by the Metropolitan Transportation Commission. Eligible projects are

Curtola Park and Ride, Benicia Intermodal Facility, Fairfield Transportation Center and Vacaville Intermodal Station. Priority to be given to projects that are fully funded, ready for construction, and serving transit service that operates primarily on existing or fully funded high-occupancy vehicle lanes. Twenty million dollars (\$20,000,000). The project sponsor is Solano Transportation Authority.

- (7) Solano County Corridor Improvements near Interstate 80/Interstate 680 Interchange. Provide funding for improved mobility in corridor based on recommendations of joint study conducted by the Department of Transportation and the Solano Transportation Authority. Cost-effective transit infrastructure investment or service identified in the study shall be considered a high priority. One hundred million dollars (\$100,000,000). The project sponsor is Solano Transportation Authority.
- (8) Interstate 80: Eastbound High-Occupancy Vehicle (HOV) Lane Extension from Route 4 to Carquinez Bridge. Construct HOV-lane extension. Fifty million dollars (\$50,000,000). The project sponsor is the Department of Transportation.
- (9) Richmond Parkway Transit Center. Construct parking structure and associated improvements to expand bus capacity. Sixteen million dollars (\$16,000,000). The project sponsor is Alameda-Contra Costa Transit District, in coordination with West Contra Costa Transportation Advisory Committee, Western Contra Costa Transit Authority, City of Richmond, and the Department of Transportation.
- (10) Sonoma-Marin Area Rail Transit District (SMART) Extension to Larkspur or San Quentin. Extend rail line from San Rafael to a ferry terminal at Larkspur or San Quentin. Thirty-five million dollars (\$35,000,000). Up to five million dollars (\$5,000,000) may be used to study, in collaboration with the Water Transit Authority, the potential use of San Quentin property as an intermodal water transit terminal. The project sponsor is SMART.
- (11) Greenbrae Interchange/Larkspur Ferry Access Improvements. Provide enhanced regional and local access around the Greenbrae Interchange to reduce traffic congestion and provide multimodal access to the Richmond-San Rafael Bridge and Larkspur Ferry Terminal by constructing a new full service diamond interchange at Wornum Drive south of the Greenbrae Interchange, extending a multiuse pathway from the new interchange at Wornum Drive to East Sir Francis Drake Boulevard and the Cal Park Hill rail right-of-way, adding a new lane to East Sir Francis Drake Boulevard and rehabilitating the Cal Park Hill Rail Tunnel and right-of-way approaches for bicycle and pedestrian access to connect the San Rafael Transit Center with the Larkspur Ferry Terminal. Sixty-five million dollars (\$65,000,000). The project sponsor is Marin County Congestion Management Agency.
- (12) Direct High-Occupancy Vehicle (HOV) lane connector from Interstate 680 to the Pleasant Hill or Walnut Creek BART stations or in close proximity to either station or as an extension of the southbound Interstate 680 High-Occupancy Vehicle Lane through the

Interstate 680/State Highway Route 4 interchange from North Main in Walnut Creek to Livorna Road. The County Connection shall utilize up to one million dollars (\$1,000,000) of the funds described in this paragraph to develop options and recommendations for providing express bus service on the Interstate 680 High-Occupancy Vehicle Lane south of the Benicia Bridge in order to connect to BART. Upon completion of the plan, the Contra Costa Transportation Authority shall adopt a preferred alternative provided by the County Connection plan for future funding. Following adoption of the preferred alternative, the remaining funds may be expended either to fund the preferred alternative or to extend the high-occupancy vehicle lane as described in this paragraph. Fifteen million dollars (\$15,000,000). The project is sponsored by the Contra Costa Transportation Authority.

- (13) Rail Extension to East Contra Costa/E-BART. Extend BART from Pittsburg/Bay Point Station to Byron in East Contra Costa County. Ninety-six million dollars (\$96,000,000). Project funds may only be used if the project is in compliance with adopted BART policies with respect to appropriate land use zoning in vicinity of proposed stations. The project is jointly sponsored by BART and Contra Costa Transportation Authority.
- (14) Capitol Corridor Improvements in Interstate 80/Interstate 680 Corridor. Fund track and station improvements, including the Suisun Third Main Track and new Fairfield Station. Twenty-five million dollars (\$25,000,000). The project sponsor is Capitol Corridor Joint Powers Authority and the Solano Transportation Authority.
- (15) Central Contra Costa Bay Area Rapid Transit (BART) Crossover. Add new track before Pleasant Hill BART Station to permit BART trains to cross to return track towards San Francisco. Twenty-five million dollars (\$25,000,000). The project sponsor is BART.
- (16) Benicia-Martinez Bridge: New Span. Provide partial funding for completion of new five-lane span between Benicia and Martinez to significantly increase capacity in the I-680 corridor. Fifty million dollars (\$50,000,000). The project sponsor is the Bay Area Toll Authority.
- (17) Regional Express Bus North. Competitive grant program for bus service in Richmond-San Rafael Bridge, Carquinez, Benicia-Martinez and Antioch Bridge corridors. Provide funding for park and ride lots, infrastructure improvements, and rolling stock. Eligible recipients include Golden Gate Bridge Highway and Transportation District, Vallejo Transit, Napa VINE, Fairfield-Suisun Transit, Western Contra Costa Transit Authority, Eastern Contra Costa Transit Authority, and Central Contra Costa Transit Authority. The Golden Gate Bridge Highway and Transportation District shall receive a minimum of one million six hundred thousand dollars (\$1,600,000). Napa VINE shall receive a minimum of two million four hundred thousand dollars (\$2,400,000). Twenty million dollars (\$20,000,000). The project sponsor is the Metropolitan Transportation Commission.

- (18) TransLink. Integrate the Bay Area's regional smart card technology, TransLink, with operator fare collection equipment and expand system to new transit services. Twenty-two million dollars (\$22,000,000). The project sponsor is the Metropolitan Transportation Commission.
- (19) Real-Time Transit Information. Provide a competitive grant program for transit operators for assistance with implementation of high-technology systems to provide real-time transit information to riders at transit stops or via telephone, wireless, or Internet communication. Priority shall be given to projects identified in the commission's connectivity plan adopted pursuant to subdivision (d) of Section 30914.5. Twenty million dollars (\$20,000,000). The funds shall be administered by the Metropolitan Transportation Commission.
- (20) Safe Routes to Transit: Plan and construct bicycle and pedestrian access improvements in close proximity to transit facilities. Priority shall be given to those projects that best provide access to regional transit services. Twenty-two million five hundred thousand dollars (\$22,500,000). City Car Share shall receive two million five hundred thousand dollars (\$2,500,000) to expand its program within approximately one-quarter mile of transbay regional transit terminals or stations. The City Car Share project is sponsored by City Car Share and the Safe Routes to Transit project is jointly sponsored by the East Bay Bicycle Coalition and the Transportation and Land Use Coalition. These sponsors must identify a public agency cosponsor for purposes of specific project fund allocations.
- (21) BART Tube Seismic Strengthening. Add seismic capacity to existing BART tube connecting the east bay with San Francisco. *Eighty-one million dollars (\$81,000,000)*. The project sponsor is BART.^[1]
- (22) Transbay Terminal/Downtown Caltrain Extension. A new Transbay Terminal at First and Mission Streets in San Francisco providing added capacity for transbay, regional, local, and intercity bus services, the extension of Caltrain rail services into the terminal, and accommodation of a future high-speed passenger rail line to the terminal and eventual rail connection to the east bay. Eligible expenses include project planning, design and engineering, construction of a new terminal and its associated ramps and tunnels, demolition of existing structures, design and development of a temporary terminal, property and right-of-way acquisitions required for the project, and associated project-related administrative expenses. A bus- and train-ready terminal facility, including purchase and acquisition of necessary rights-of-way for the terminal, ramps, and rail extension, is the first priority for toll funds for the Transbay Terminal/Downtown Caltrain Extension Project. The temporary terminal operation shall not exceed five years. One hundred fifty million dollars (\$150,000,000). The project sponsor is the Transbay Joint Powers Authority.
- (23) Oakland Airport Connector. New transit connection to link BART, Capitol Corridor and AC Transit with Oakland Airport. The Port of Oakland shall provide a full funding plan for

the connector. *Sixty-eight million dollars (\$68,000,000)*. The project sponsors are the Port of Oakland and BART.^[1]

- (24) AC Transit Enhanced Bus-Phase 1 on Telegraph Avenue, International Boulevard, and East 14th Street (Berkeley-Oakland-San Leandro). Develop enhanced bus service on these corridors, including bus bulbs, signal prioritization, new buses, and other improvements. Priority of investment shall improve the AC connection to BART on these corridors. Sixty-five million dollars (\$65,000,000). The project sponsor is AC Transit.
- (25) Commute Ferry Service for Alameda/Oakland/Harbor Bay. Purchase two vessels for ferry services between Alameda and Oakland areas and San Francisco. Second vessel funds to be released upon demonstration of appropriate terminal locations, new transit-oriented development, adequate parking, and sufficient landside feeder connections to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements.
- (26) Commute Ferry Service for Berkeley/Albany. Purchase two vessels for ferry services between the Berkeley/Albany Terminal and San Francisco. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements. If the Water Transit Authority does not have an entitled terminal site within the Berkeley/Albany catchment area by 2010 that meets its requirements, the funds described in this paragraph and the operating funds described in paragraph (7) of subdivision (d) shall be transferred to another site in the East Bay. The City of Richmond shall be given first priority to receive this transfer of funds if it has met the planning milestones identified in its special study developed pursuant to paragraph (28).
- (27) Commute Ferry Service for South San Francisco. Purchase two vessels for ferry services to the Peninsula. Parking access and landside feeder connections must be sufficient to support ridership projections. Twelve million dollars (\$12,000,000). The project sponsor is Water Transit Authority. If the Water Transit Authority demonstrates to the Metropolitan Transportation Commission that it has secured alternative funding for the two vessel purchases described in this paragraph, the funds may be used for terminal improvements.
- (28) Water Transit Facility Improvements, Spare Vessels, and Environmental Review Costs. Provide two backup vessels for water transit services, expand berthing capacity at the Port of San Francisco, and expand environmental studies and design for eligible locations. Forty-eight million dollars (\$48,000,000). The project sponsor is Water Transit Authority.

Up to one million dollars (\$1,000,000) of the funds described in this paragraph shall be made available for the Water Transit Authority to study accelerating development and other milestones that would potentially increase ridership at the City of Richmond ferry terminal.

- (29) Regional Express Bus Service for San Mateo, Dumbarton, and Bay Bridge Corridors. Expand park and ride lots, improve HOV access, construct ramp improvements, and purchase rolling stock. Twenty-two million dollars (\$22,000,000). The project sponsors are AC Transit and Alameda County Congestion Management Agency.
- (30) I-880 North Safety Improvements. Reconfigure various ramps on I-880 and provide appropriate mitigations between 29th Avenue and 16th Avenue. Ten million dollars (\$10,000,000). The project sponsors are Alameda County Congestion Management Agency, City of Oakland, and the Department of Transportation.
- (31) BART Warm Springs Extension. Extension of the existing BART system from Fremont to Warm Springs in southern Alameda County. Ninety-five million dollars (\$95,000,000). Up to ten million dollars (\$10,000,000) shall be used for grade separation work in the City of Fremont necessary to extend BART. The project would facilitate a future rail service extension to the Silicon Valley. The project sponsor is BART.
- (32) I-580 (Tri Valley) Rapid Transit Corridor Improvements. Provide rail or High-Occupancy Vehicle lane direct connector to Dublin BART and other improvements on I-580 in Alameda County for use by express buses. Sixty-five million dollars (\$65,000,000). The project sponsor is Alameda County Congestion Management Agency.
- (33) Regional Rail Master Plan. Provide planning funds for integrated regional rail study pursuant to subdivision (f) of Section 30914.5. Six million five hundred thousand dollars (\$6,500,000). The project sponsors are Caltrain and BART.
- (34) Integrated Fare Structure Program. Provide planning funds for the development of zonal monthly transit passes pursuant to subdivision (e) of Section 30914.5. One million five hundred thousand dollars (\$1,500,000). The project sponsor is the TransLink® Consortium.
- (35) Transit Commuter Benefits Promotion. Marketing program to promote tax-saving opportunities for employers and employees as specified in Section 132(f)(3) or 162(a) of the Internal Revenue Code. Goal is to increase the participation rate of employers offering employees a tax-free benefit to commute to work by transit. The project sponsor is the Metropolitan Transportation Commission. Five million dollars (\$5,000,000).
- (36) Caldecott Tunnel Improvements. Provide funds to plan and construct a fourth bore at the Caldecott Tunnel between Contra Costa and Alameda Counties. The fourth bore will be a

two-lane bore with a shoulder or shoulders north of the current three bores. The County Connection shall study all feasible alternatives to increase transit capacity in the westbound corridor of State Highway Route 24 between State Highway Route 680 and the Caldecott Tunnel, including the study of the use of an express lane, high-occupancy vehicle lane, and an auxiliary lane. The cost of the study shall not exceed five hundred thousand dollars (\$500,000) and shall be completed not later than January 15, 2006. Fifty million five hundred thousand dollars (\$50,500,000). The project sponsor is the Contra Costa Transportation Authority.

- (37) *BART Transit Capital Match. Provide local matching funds to BART's fixed guideway rehabilitation and replacement projects funded with federal dollars in FY 06-07 and FY 07-08. Twenty-four million dollars (\$24,000,000). The project sponsor is the Bay Area Rapid Transit District.*⁽¹⁾

Streets and Highways Code Sections 30914(d)

Not more than 38 percent of the revenues generated from the toll increase shall be made available annually for the purpose of providing operating assistance for transit services as set forth in the authority's annual budget resolution. The funds shall be made available to the provider of the transit services subject to the performance measures described in Section 30914.5. If the funds cannot be obligated for operating assistance consistent with the performance measures, these funds shall be obligated for other operations consistent with this chapter.

Except for operating programs that do not have planned funding increases and subject to the 38-percent limit on total operating cost funding in any single year, following the first year of scheduled operations, an escalation factor, not to exceed 1.5 percent per year, shall be added to the operating cost funding through fiscal year 2015 -16, to partially offset increased operating costs. The escalation factors shall be contained in the operating agreements described in Section 30914.5. Subject to the limitations of this paragraph, the Metropolitan Transportation Commission may annually fund the following operating programs as another component of the Regional Traffic Relief Plan:

- (1) Golden Gate Express Bus Service over the Richmond Bridge (Route 40). Two million one hundred thousand dollars (\$2,100,000).
- (2) Napa Vine Service terminating at the Vallejo Intermodal Terminal. Three hundred ninety thousand dollars (\$390,000).
- (3) Regional Express Bus North Pool serving the Carquinez and Benicia Bridge Corridors. Three million four hundred thousand dollars (\$3,400,000).

- (4) Regional Express Bus South Pool serving the Bay Bridge, San Mateo Bridge, and Dumbarton Bridge Corridors. Six million five hundred thousand dollars (\$6,500,000).
- (5) Dumbarton Rail. Five million five hundred thousand dollars (\$5,500,000).
- (6) Water Transit Authority, Alameda/Oakland/Harbor Bay. A portion of the operating funds may be dedicated to landside transit operations. Six million four hundred thousand dollars (\$6,400,000).
- (7) Water Transit Authority, Berkeley/Albany. A portion of the operating funds may be dedicated to landside transit operations. Three million two hundred thousand dollars (\$3,200,000).
- (8) Water Transit Authority, South San Francisco. A portion of the operating funds may be dedicated to landside operations. Three million dollars (\$3,000,000).
- (9) Vallejo Ferry. Two million seven hundred thousand dollars (\$2,700,000).
- (10) Owl Bus Service on BART Corridor. One million eight hundred thousand dollars (\$1,800,000).
- (11) MUNI Metro Third Street Light Rail Line. Two million five hundred thousand dollars (\$2,500,000) without escalation.
- (12) AC Transit Enhanced Bus Service on Telegraph Avenue, International Boulevard, and East 14th Street in Berkeley-Oakland-San Leandro. Three million dollars (\$3,000,000) without escalation.
- (13) TransLink, three-year operating program. Twenty million dollars (\$20,000,000) without escalation.
- (14) Water Transit Authority, regional planning and operations. Three million dollars (\$3,000,000) without escalation.

Footnote: ^[1] A public hearing was held on June 13, 2007 to consider two funding changes: 1) Transfer \$38 million from the BART Tube Seismic Retrofit Project to the BART Oakland Airport Connector and 2) Transfer \$24 million from the BART Tube Seismic Retrofit Project to a newly added project Transit Capital Match. As a result the following changes are effective as of June 27, 2007. The BART Tube Seismic Retrofit project is reduced to \$81 million in funding from its original amount of \$143 million approved on March 2, 2004. Funding on the BART

Oakland Airport Connector Project is increased from its original amount of \$30 million to \$68 million. Project #37, BART Transit Capital Match, has been added to the RM2 program and funded at \$24 million.

Date: June 27, 2007
W.I.: 1255
Referred by: PAC

Attachment C
Resolution No. 3801
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Terms and Conditions of Project Amendments

1. Projects that are being amended into the Regional Measure 2 (RM2) Program must comply with the adopted RM2 Policies and Procedures.
2. The funding reassignment between project #21 BART Tube Seismic Retrofit project and the Oakland Airport Connector is contingent upon the California Transportation Commission approving an allocation of \$38 million in STIP funds to the BART Tube Seismic Retrofit project in FY 07-08.