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# TRI-VALLEY TRANSPORTATION COUNCIL

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**Steven Spedowski**  
TVTC Chair  
Vice Mayor  
Livermore  
(925) 960-4016

Monday, July 17, 2017  
4:00pm

**Livermore Amador Valley Transit Authority (LAVTA) Board Room**  
**1362 Rutan Dr # 100, Livermore, CA 94551**

**Arne Olson**  
TVTC Vice-Chair  
Councilmember  
Pleasanton  
(925) 200-8579

## AGENDA

**Scott Perkins**  
Councilmember  
San Ramon  
(925) 973-2530

**Don Biddle**  
Vice Mayor  
Dublin  
(925) 833-6634

**Karen Stepper**  
Councilmember  
Danville  
(925) 275-2412

**Scott Haggerty**  
Supervisor District 1  
Alameda County  
(510) 272-6691

**Candace Andersen**  
Supervisor District 2  
Contra Costa County  
(925) 957-8860

The Tri-Valley Transportation Council meetings are wheelchair accessible. If you have any questions related to the Tri-Valley Transportation Council meeting agenda, please contact Debbie Bell, TVTC Administrative staff at (925) 960-4541 or email at [dlbell@cityoflivermore.net](mailto:dlbell@cityoflivermore.net)

1. Call to Order, Roll Call, and Self Introductions
2. Public Comment
3. APPROVE Meeting Minutes from April 17, 2017 (Action)\*
4. Consent Calendar
  1. ADOPT TVTC Resolution 2017-06 and APPROVE the First Amendment to the Professional Services Agreement with Meyers Nave (Action)\*
5. Old Business
  1. REVIEW Draft 2017 Contra Costa Countywide Transportation Plan Update\*
  2. REAFFIRM the TVTC's Adoption of the 2015 TVTC Action Plan for Routes of Regional Significance and submit to Contra Costa County for incorporation into the 2017 Contra Costa Countywide Transportation Plan Update (Action)\*
6. New Business
  1. ADOPT TVTC Resolution 2017-07 and APPROVE the City of Dublin's Tri-Valley Transportation Development Fee Allocation Request for Project A-11, Advanced Technology element of the Express Bus/Bus Rapid Transit Phase 2 (Action)\*
  2. APPROVE 2018 TVTC Board Meeting Schedule (Action) \*
7. Other Business - none
8. Adjournment

\* Attachment(s)

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# TRI-VALLEY TRANSPORTATION COUNCIL

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## Upcoming Meetings:

**TVTC TAC:** Tuesday, September 5, 2017, 9am, Dublin Public Works Front Room

**TVTC:** Monday, October 16, 2017, 4pm, Livermore Amador Valley Transit Authority (LAVTA), Board Room, 1362 Rutan Drive #100, Livermore, CA 94551

Monday, January 22, 2018, 3pm, Livermore Amador Valley Transit Authority (LAVTA), Board Room, 1362 Rutan Drive #100, Livermore, CA 94551

# Item 3

## MINUTES

### TRI-VALLEY TRANSPORTATION COUNCIL

Livermore Amador Valley Transit Authority (LAVTA) Board Room  
1362 Rutan Dr # 100, Livermore, CA 94551

Monday, April 17, 2017 at 4:00pm

#### 1) **CALL TO ORDER, ROLL CALL, AND SELF-INTRODUCTIONS**

The Tri-Valley Transportation Council (TVTC) was called to order at 4:00 p.m. by the Chair, Vice Mayor Steven Spedowfski, City of Livermore.

##### **TVTC Members in Attendance:**

Steven Spedowfski, Chair, Vice Mayor, Livermore  
Arne Olson, Vice Chair, Councilmember, Pleasanton  
Scott Perkins, Councilmember, San Ramon  
Candace Andersen, Supervisor District 2, Contra Costa County  
Don Biddle, Vice Mayor, City of Dublin  
Karen Stepper, Councilmember, Danville  
Scott Haggerty, Supervisor, District 1, Alameda County

##### **TVTC Staff in Attendance:**

Debbie Bell, City of Livermore  
Bob Vinn, City of Livermore  
Obaid Khan, City of Dublin  
Jamar Stamps, Contra Costa County  
Andy Dillard, Town of Danville

##### **Others in Attendance:**

Lindsay D'Andrea, Meyers Nave, TVTC General Counsel

#### 2) **PUBLIC COMMENT**

None.

#### 3) **APPROVAL OF MEETING MINUTES FOR JANUARY 23, 2017**

Motion by Supervisor Andersen; Second by Councilmember Stepper.  
Unanimously Approved (Ayes 7; Noes 0; Abstain 0; Absent:0)

#### 4) **CONSENT CALENDAR**

1. ADOPT TVTC Resolution 2017-03 and APPROVE the First Amendment to the Professional Services Agreement with Cropper Accountancy, as recommended by the TVTC Finance Subcommittee



Motion by Councilmember Stepper; Second by Councilmember Olson.  
Unanimously Approved (Ayes 7; Noes 0; Abstain 0; Absent 0)

## **5) OLD BUSINESS**

1. ADOPT TVTC Resolution 2017-04 and APPROVE the TVTC Cash Balance Policy, as recommended by the TVTC Finance Subcommittee

Councilmember Stepper explained the proposed Cash Balance Policy provides flexibility to accommodate the TVTC's deposits, expenses, and account balances, and ensures funds will be available when needed.

Councilmember Perkins explained that quarterly transfers to LAIF should happen after all jurisdictional deposits. This policy meets the TVTC's needs, will minimize expenses, and maximize returns.

Motion by Councilmember Stepper; Second by Supervisor Haggerty.  
Unanimously Approved (Ayes 7; Noes 0; Abstain 0; Absent 0)

## **6) NEW BUSINESS**

1. ACCEPT Fiscal Year 2015/2016 Financial Report, as recommended by the TVTC Finance Subcommittee

Staff gave a brief presentation on the item.

Councilmember Stepper commented that the report and attachments are very helpful for those who have not been with the TVTC since inception and that this is good information to have available.

Vice Mayor Biddle and other board members concurred with Councilmember Stepper's comments.

Motion by Councilmember Perkins; Second by Supervisor Andersen.  
Unanimously Approved (Ayes 7; Noes 0; Abstain 0; Absent 0)

2. ADOPT TVTC Resolution 2017-05 and APPROVE the TVTC Fiscal Year 2017/2018 Budget, as recommended by the TVTC Finance Subcommittee

Staff gave a brief presentation on the item.

Councilmember Perkins commented that the TVTC Finance Subcommittee concurred with the proposed budget but also discussed the TVTC's existing policy to base the annual budget on an assumption that 1% of the Tri-Valley

Transportation Development Fee (TVTDF) will fund all the TVTC annual administrative expenses. He explained that in some years the TVTC administrative expenses could exceed 1% of the TVTDF, for instance if development slows and less impact fees are collected or if the TVTC has significant expenses such as the next Strategic Expenditure Plan (SEP), Nexus Study, or other items. He further explained that if the TVTC administrative expenses exceed 1% of the collected revenue that the TVTC could be out of compliance with existing policy. He summarized that the Finance Subcommittee requested the TAC propose alternatives to the 1% policy. This item would be considered first by the Finance Subcommittee and then by the TVTC Board.

Councilmember Stepper further explained that the Finance Subcommittee discussed tracking current and past cumulative administrative expenses and revenues. She explained that a 1% administrative budget is very common and may be appropriate when averaged over time. Since the TVTC is, and has been, in compliance with the existing policy this item can be included in a future Finance Subcommittee meeting, a special meeting is not necessary.

Vice Mayor Spedowski explained that an unexpected expense, such as a lawsuit, could exceed the 1% budget. He explained that the Finance Subcommittee discussed defining specific operating versus capital expenses, and tracking the funds to show annual reserves.

Councilmember Olson suggested the TVTC consider adding language to the policy identifying expenditures that could be exceptions to the policy.

Councilmember Perkins also reminded the TVTC Board that discussion about the next SEP and Nexus Study, including possible new projects ("List C"), should begin soon. These discussions should start at the TVTC TAC for future Board consideration.

Motion by Councilmember Perkins; Second by Councilmember Olson.  
Unanimously Approved (Ayes 7; Noes 0; Abstain 0; Absent 0)

### 3. REVIEW Tri-Valley Transportation Development Fee Construction Cost Index Annual Adjustment

Staff gave a brief presentation on the item and explained that if approved, each TVTC jurisdiction will implement the new fee rate starting on July 1, 2017.

Supervisor Haggerty asked, and staff confirmed, that Affordable Housing is exempt from the TVTDF.

Supervisor Andersen explained that the TVTC worked with Building Industry Association in 2014 on the updated fee amounts and the fee's multi-year phase-in schedule, with no increase in the first year, so as not to affect projects that were already in the pipeline.

Motion by Supervisor Haggerty to approve the Tri-Valley Transportation Development Fee Construction Cost Index Annual Adjustment; Second by Councilmember Perkins. Unanimously Approved (Ayes 7; Noes 0; Abstain 0; Absent 0)

**7) OTHER BUSINESS/ANNOUNCEMENTS**

None

**8) ADJOURNMENT**

The meeting was adjourned by Chair Spedowski at 4:15 p.m.

DRAFT

# Item 4.1

# TRI-VALLEY TRANSPORTATION COUNCIL

**Steven Spedowski**  
**TVTC Chair**  
**Vice Mayor**  
Livermore  
(925) 960-4016

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** July 17, 2017  
**Subject:** TVTC Legal Contract

**Arne Olson**  
**TVTC Vice-Chair**  
**Councilmember**  
Pleasanton  
(925) 200-8579

**Scott Perkins**  
**Councilmember**  
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**Supervisor District 2**  
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(925) 957-8860

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## BACKGROUND

The TVTC Bylaws require the TVTC to designate a General Counsel, which may consist of appropriate staff member of a TVTC member jurisdiction, or a consultant retained by the TVTC. The General Counsel duties consist of all legal services related to the TVTC, including the following:

- Provide advice and counsel to TVTC;
- Provide input on TVTC policies and procedures;
- Provide legal guidance in responding and resolving legal issues.

As stated in the Bylaws, the TVTC's General Counsel may be compensated for the services provided to the TVTC as defined by terms of employment, agreement or contract, and as authorized in the TVTC's annual budget.

In July 2014, TVTC published a Request for Proposals (RFP) for contract legal services. TVTC received two proposals from prospective legal firms and in September 2014, the TVTC approved a professional services agreement (Agreement) with Meyers Nave for three years with the option of two one-year extensions.

## DISCUSSION

Meyers Nave's contract with the TVTC for legal services is set to expire on September 16, 2017. To continue working with Meyers Nave the TVTC can utilize the Agreement's extension option for two one-year extensions. The TVTC TAC recommends the TVTC amend the contract to extend the expiration date and increase the funding allowed. Specifically, the TVTC TAC recommends the TVTC replace the Agreement's end date to June 30, 2020. This will utilize the two one-year extensions and better align the end date with other contract expiration dates. The TVTC TAC also recommends the TVTC increase the amount of compensation to provide for continued legal services. Since contract inception in 2014, the TVTC has paid Meyers Nave approximately \$26,000. For FY2017/18, the TVTC budgeted \$14,000 for legal services. Therefore, the TVTC TAC recommends the TVTC amend the contract to a sum not to exceed \$68,000, with the understanding that \$26,000 has already been paid. This provides an additional \$14,000 per year for legal services in FY2017/18, FY2018/19, and FY2019/20.

# TRI-VALLEY TRANSPORTATION COUNCIL

## RECOMMENDATION

1. ADOPT Resolution 2017-06 approving the First Amendment to Professional Services Agreement with Meyers Nave to extend the expiration date to June 30, 2020, and to increase the amount of compensation to \$68,000 to provide for additional legal services with the understanding that \$26,000 has already been paid.
2. Authorize the TVTC Chairperson to execute the Amendment on behalf of the TVTC.

## ATTACHMENTS

1. Resolution 2017-06

Attachment 1: First Amendment to the Professional Services Agreement

Exhibit 1: Professional Services Agreement

Exhibit 2: Updated Exhibit B - 2017 Meyers Nave Billing Rates

# Attachment 1

**TRI-VALLEY TRANSPORTATION COUNCIL  
RESOLUTION NO. 2017-06**

**A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE PROFESSIONAL  
SERVICES AGREEMENT BETWEEN THE TRI-VALLEY TRANSPORTATION  
COUNCIL AND MEYERS NAVE**

**WHEREAS**, on September 17, 2014, TVTC and Contractor entered into that certain Professional Services Agreement (“Agreement”) whereby Contractor agreed to provide professional legal services to TVTC; and

**WHEREAS**, Section 3 of the Agreement provides that TVTC will pay Contractor \$22,500 for the services contemplated by the Agreement; and

**WHEREAS**, the initial term of the Agreement is set to expire on September 16, 2017; and

**WHEREAS**, Section 2 of the Agreement provides that TVTC has the option to request two one-year extensions; and

**WHEREAS**, TVTC and Contractor now desire to amend the Agreement to extend the expiration date and to increase the amount of compensation to provide for additional legal services.

**NOW THEREFORE BE IT RESOLVED THAT TVTC:**

1. Approves the FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT, attached hereto and incorporated herein as Attachment 1; and
2. Authorizes the Chairperson to execute the Amendment on behalf of TVTC subject to review and approval as to form by the General Counsel.

**PASSED, APPROVED AND ADOPTED** at the meeting of July 17, 2017, by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**



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Steven Spedowski, Chair  
Tri-Valley Transportation Council

**ATTEST:**

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Debbie Bell, TVTC Administrative Staff

**ATTACHMENT 1**  
**FIRST AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT**

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT  
BETWEEN THE TRI-VALLEY TRANSPORTATION COUNCIL AND MEYERS NAVE**

THIS FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT is made as \_\_\_\_\_ day of \_\_\_\_\_ 2017 by and between THE TRI-VALLEY TRANSPORTATION COUNCIL (“TVTC”), and MEYERS NAVE (“Contractor”), (sometimes referred together as the “Parties”) who agree as follows:

RECITALS

**WHEREAS**, on September 17, 2014, TVTC and Contractor entered into that certain Professional Services Agreement (“Agreement”) whereby Contractor agreed to provide professional legal services to TVTC, as further described in the Scope of Work contained in Exhibit A to the Agreement. A true and correct copy of the Agreement and its exhibits is attached hereto as Exhibit 1 hereto; and

**WHEREAS**, Section 3 of the Agreement provides that TVTC will pay Contractor \$22,500 for the services contemplated by the Agreement; and

**WHEREAS**, the initial term of the Agreement is set to expire on September 16, 2017; and

**WHEREAS**, Section 2 of the Agreement provides that TVTC has the option to request two one-year extensions; and

**WHEREAS**, TVTC and Contractor now desire to amend the Agreement to extend the expiration date and to increase the amount of compensation to provide for continued legal services.

**NOW, THEREFORE**, for and in consideration of the promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, TVTC and Contractor hereby agree to amend the Agreement as follows:

1. All terms which are defined in the Agreement shall have the same meaning when used in this Amendment, unless specifically provided herein to the contrary.
2. Section 2 of the Agreement. The September 16, 2017 end date for the term of the Agreement identified in Section 2 is hereby replaced with June 30, 2020.
3. Section 3 of the Agreement is hereby amended to read as follows .

“COMPENSATION RATE: The hourly rate of compensation shall be as described in **Exhibit B**, attached hereto and by this reference made a part

hereof. The parties have agreed on a “Not to Exceed” Amount of Sixty-Eight Thousand dollars (\$68,000) for the general counsel services described in the Contractor’s proposal dated August 8, 2014 and attached hereto as **Exhibit C**, with the understanding that Twenty Six Thousand dollars (\$26,000) has already been paid to Contractor. Amounts approved for any year beyond the first year of this Agreement are subject to the limits of Paragraph H, subpart 3 of the Tri-Valley Transportation Council bylaws.”

Contractor agrees this is TVTC’s total contribution for payment of costs under the Agreement unless additional payments are authorized in accordance with the terms of the Agreement and said terms of payment are mutually agreed to by and between the parties in writing.

4. Section 10 of the Agreement is amended to remove reference to the previous contractual “Not to Exceed” Amount of \$22,500 and annual “Not to Exceed” amount of \$7,500 and replace those references with the updated “Not to Exceed” Amount of \$68,000 as shown in Section 3 of this Amendment.
5. Exhibit B. Billing rates outlined in Exhibit B to the Agreement are hereby replaced with a new Exhibit B, attached as Exhibit 2 to this Amendment.

All other terms, conditions and provisions in the Agreement remain in full force and effect. If there is a conflict between the terms of this Amendment and the Agreement, the terms of the Agreement will control unless specifically modified by this Amendment.

*[SIGNATURES ON THE FOLLOWING PAGE]*

**IN WITNESS WHEREOF** the parties have executed this Agreement on the dates indicated below, the latest of which shall be deemed the effective date of this Agreement.

**TRI-VALLEY TRANSPORTATION COUNCIL**

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Steven Spedowski, TVTC Chair

**Meyers Nave  
CONTRACTOR**

DATED: \_\_\_\_\_

\_\_\_\_\_  
By: Authorized Partner of Law Firm

**EXHIBIT 1**  
**PROFESSIONAL SERVICES AGREEMENT**

## LEGAL SERVICES RETAINER AGREEMENT

The Tri-Valley Transportation Council, a joint powers authority formed under the Joint Exercise of Powers Act (Gov. Code §§ 6500 *et seq.*) ("TVTC") and Meyers Nave Riback Silver & Wilson, a professional law corporation, ("Attorneys"), hereby agree as follows:

1. **SCOPE:** Attorneys will furnish general counsel legal services to TVTC in accord with Exhibit A, attached hereto and by this reference made a part hereof.

2. **TERM:** The term of this Agreement shall begin on September 17, 2014 and continues until September 16, 2017 as provided for in paragraphs 6 or 10 below. The parties may agree to two (2) one-year (1) extensions.

3. **COMPENSATION RATE:** The hourly rate of compensation shall be as described in **Exhibit B**, attached hereto and by this reference made a part hereof. The parties have agreed on a "Not to Exceed" Amount of Twenty-Two Thousand Five Hundred dollars (\$22,500), which is limited to annual not to exceed amounts of Seven Thousand Five Hundred dollars (\$7,500) for general counsel services as described in the Attorney's Proposal dated August 8, 2014 and attached hereto as **Exhibit C**. Amounts approved for any year beyond the first year of this Agreement are subject to the limits of Paragraph H, subpart 3 of the Tri-Valley Transportation Council Bylaws.

4. **PAYMENT:** Except for the compensation rate, stated above, all terms and conditions set forth in the **Exhibit A** shall dictate the terms and conditions under which services will be performed by Attorneys to County. All billing statements should be directed to the TVTC Administrator for review and approval. The billing statements should be provided on approximately a monthly basis (or as otherwise agreed to in writing by the Attorneys and the TVTC Administrator) detailing each person performing service and a brief description of the work performed. In addition to applicable approved hourly rates, Attorneys will be reimbursed for those out-of-pocket expenses, including travel expenses, copying expenses, word processing expenses, telephone expenses, postage expenses, and court reporter's costs as outlined in **Exhibit A**.

5. **DIRECTION:** Attorneys' work under this Agreement shall be under supervision of the TVTC Administrator.

6. **TERMINATION:** This Retainer Agreement for legal services may be terminated by the TVTC at any time, upon written notice by the TVTC.

7. **EXPERT CONSULTANTS:** The TVTC Administrator will review all requests for extraordinary expenses before the same are incurred by Attorneys. Attorneys will engage no expert consultants without having first received the consent of the TVTC Administrator both as to the identity and task of the consultants and the hourly amount to be paid for the consultant's work.

8. **PROFESSIONAL SKILL:** Attorneys are skilled in the professional calling necessary to perform the work agreed to be done under this Agreement, and TVTC relies upon the skill of Attorneys to do and perform the work in a professional and skillful manner, and Attorneys agree to perform the work in accordance with this standard.

**9. INSURANCE:**

a. During the term of this Agreement, Attorneys shall maintain comprehensive general liability coverage with aggregate limits in an amount not less than \$5 Million, and automobile coverage with combined single limits in an amount not less than \$1 Million. Upon TVTC's request, Attorneys shall provide TVTC a certificate evidencing this insurance. The TVTC shall be named as an additional insured on each liability and automobile policy providing such coverage. Attorneys' coverage shall be primary to any insurance maintained by TVTC. Unless the policy is simultaneously replaced with a new policy providing the same coverage, Attorneys shall immediately forward to TVTC any notice of the cancellation or non-renewal of any such coverages, or any other policy changes that materially affect coverage.

b. During the term of this Agreement, Attorneys also shall maintain professional liability insurance coverage with primary limits in an amount not less than \$1 Million per person and \$5 Million per incident. Such insurance shall insure Attorneys' work to be performed under this Agreement. Upon TVTC's request, Attorneys shall provide TVTC a certificate evidencing this insurance. Attorneys' professional liability coverage shall be primary to any insurance maintained by TVTC. Unless the policy is simultaneously replaced with a new policy providing the same or greater coverage and limits, Attorneys shall provide 30 days advanced written notice to the TVTC of the cancellation or non-renewal of Attorneys' professional liability coverage, or any other policy changes that materially affect such coverage.

c. During the term of this Agreement, Attorneys shall also maintain workers' compensation insurance as required by law. At TVTC's request, Attorneys shall provide TVTC a certificate evidencing this insurance. Attorneys' workers' compensation insurance shall be primary to any insurance maintained by TVTC. Unless the policy is simultaneously replaced with a new policy providing the same coverage, Attorneys shall provide 30 days advanced written notice to the TVTC of the cancellation or non-renewal of said Attorneys' workers' compensation insurance, or any other policy changes that materially affect such coverage.

**10. MAXIMUM COMPENSATION:** Notwithstanding anything in this Agreement to the contrary, the maximum amount of money which the TVTC shall be obligated to pay Attorneys under this Agreement shall not exceed the budgeted amount of Twenty-Two Thousand Five Hundred dollars (\$22,500), which is limited to annual not to exceed amounts of Seven Thousand Five Hundred dollars (\$7,500), as such budget may be modified from time to time. The parties agree to negotiate an amendment to this Agreement to provide for additional compensation and other terms, modifications or additions to this Agreement which are mutually acceptable to the parties. In the event the parties cannot agree on additional compensation or other terms, modifications or additions to this Agreement, this Agreement shall terminate.

**11. EMPLOYER/EMPLOYEE RELATIONSHIP:** No relationship of employer and employee is created by this Agreement, it being understood that Attorneys shall act hereunder as independent contractors; that Attorneys shall not have any claim under this Agreement or otherwise against TVTC for seniority, vacation time, vacation pay, sick leave, personal time off, overtime, health insurance, medical care, hospital care, retirement benefits, Social Security, disability, Workers', Compensation, or unemployment insurance benefits, civil service protection, or employee benefits of any kind; that Attorneys shall be solely liable for and obligated to pay directly all applicable



taxes, including, but not limited to, federal and state income taxes, and in connection therewith Attorneys shall indemnify and hold TVTC harmless from any and all liability which TVTC may incur because of Attorneys' failure to pay such taxes; that Attorneys do, by this Agreement, agree to perform their said work and functions at all times in strict accordance with currently approved methods and practices in their field and that the sole interest of TVTC is to ensure that said service shall be performed and rendered in a competent, efficient, timely and satisfactory manner and in accordance with the standards required by the agency concerned.

**12. ASSIGNMENT OF CONTRACT:** Nothing contained in this Agreement shall be construed to permit assignment or transfer by Attorneys of any rights under this Agreement and such assignment or transfer is expressly prohibited and void, unless expressly approved in writing in advance by TVTC.

**13. DRUG-FREE WORKPLACE:** Attorneys and Attorneys' employees shall maintain a drug-free workplace. Neither Attorneys nor Attorneys' employees shall unlawfully manufacture, distribute, dispense, possess or use controlled substances, as defined in 21 U. S. Code Section 812, including marijuana, heroin, cocaine, and amphetamines, at any of TVTC's facilities or work sites. If any principal or employee of Attorneys is convicted or pleads *nolo contendere* to a criminal drug statute violation occurring at TVTC's facilities or work sites, Attorneys shall notify the TVTC Administrator within five days thereafter. Violation of this provision shall constitute a material breach of this Agreement.

**14. CONFLICT OF INTEREST:** No officer, member, or employee of TVTC and no member of their governing bodies shall have any pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof. Neither of Attorneys shall serve on the TVTC Governing Council, committee, or hold any such position which either by rule, practice or action nominates, recommends, supervises Attorneys' operations, or authorizes funding to Attorneys.

**15. RECORDS AND AUDITS:** Attorneys will retain all records concerning this Agreement, or microfilm records of them, except original documents concerning telephone, copy, postage, telecopy and messenger charges, for a period of at least five years from the date of service.

Until the expiration of five years after the furnishing of any services pursuant to this Agreement, Attorneys shall make available, upon written request, to TVTC, any of its member cities or counties, or to the Federal/State government or any of their duly authorized representatives, this Agreement, and such books, documents, and records of Attorneys that are necessary to certify that the nature and extent of the reasonable cost of services to TVTC. If Attorneys enter into any Agreement with any related organization to provide services pursuant to this Agreement with a value or cost of \$10,000 or more over a twelve-month period, such Agreement shall contain a clause to the effect that until the expiration of five years after the furnishing of services pursuant to such subcontract, the related organization shall make available, upon written request, to the Federal/State government or any of their duly authorized representatives, the subcontract, and books, documents and records of such organization that are necessary to verify the nature and extent of such costs. This paragraph shall be of no force and effect when and if it is not required by law.

**16. INDEMNITY:** Attorneys shall indemnify and hold and save TVTC harmless from any and all claims, expenses and damages arising from Attorneys' performance under this Agreement, including, but not limited to, third-party claims for

injury to persons or property damage, to the extent Attorneys negligently or intentionally failed to perform such services in accordance with the standard of care applicable to Attorneys.

**17. BREACH:** In the event that Attorneys fail to perform any of the services described in this Agreement or otherwise breach this Agreement, TVTC shall have the right to pursue all remedies provided by law or equity. Disputes relating to the performance of this Agreement shall not be subject to non-judicial arbitration.

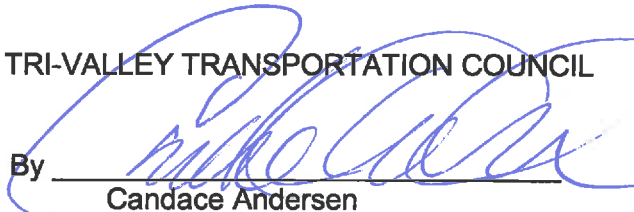
**18. MODIFICATION:** No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto.

After having had the opportunity to review this Agreement and Exhibit A, and after having the language in form of this Agreement approved as containing the agreement between the parties, as shown below, and by signing this Agreement, the undersigned agrees to the terms of the Agreement.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the day and year first written below.

DATED: 9/17/14

TRI-VALLEY TRANSPORTATION COUNCIL

By   
Candace Andersen  
Chair  
Tri-Valley Transportation Council

DATED: 9/17/14

ATTORNEYS  
Meyers Nave Riback Silver & Wilson

By   
(Authorized Partner of Law Firm)

## **Exhibit A**

### **I. ACRONYM AND TERM GLOSSARY**

Unless otherwise noted, the terms below may be upper or lower case. Acronyms will always be uppercase.

Council	Shall refer to the Tri-Valley Transportation Governing Council
TVTC Administrator	TVTC Administrator, duly appointed by the Council in accordance with the Bylaws
TVTC	When capitalized, shall refer to the Tri-Valley Transportation Council
TAC	TVTC Technical Advisory Committee
RLF	Retained Law Firm or "Attorneys" as set forth in Legal Services Retainer Agreement.

### **II. STATEMENT OF WORK**

#### **A. INTENT**

It is the intent of these terms and conditions to describe legal representation required by the TVTC.

#### **B. SPECIFIC REQUIREMENTS**

1. RLF shall designate a full partner who shall be available during regular business hours to meet with the TVTC, TVTC Administrator or TAC on general legal issues.
2. RLF shall agree that all work product including contract documents, legal research, opinion letters, etc., are the property of the client, the TVTC, and may be copied and provided by the TVTC to attorneys either employed or retained by the TVTC. This provision is not a waiver of the attorney/client privilege.
4. RLF, as requested, shall provide the TVTC Administrator copies of all information and correspondence relating to each matter. They shall include communications between RLF and any department, service company, and/or other parties' attorneys.
5. RLF shall not charge the TVTC for any client development costs.
6. Should either the RLF or the TVTC choose to terminate any retainer, RLF shall, at TVTC's discretion, continue to provide legal services as to any matter referred to them prior to the notice of termination and shall be compensated upon the same terms and conditions as herein set forth. RLF shall promptly return any files and work product related to matters withdrawn or transferred.

7. RLF shall disclose any malpractice claims incurred by any member of RLF in connection with services performed under this Agreement.

B. BILLING PRACTICES

1. RLF shall invoice TVTC only following the provision of legal services.
2. Payment will be generally made within thirty (30) days following receipt of invoice and upon satisfactory performance of services. The TVTC Administrator will identify any questions regarding fees or costs no later than ten (10) days after receiving RLF's invoice containing those fees and costs, and will use its best efforts to pay any undisputed amounts within 30 days following receipt of invoice.
3. Invoices shall include, but not be limited to:
  - a. Invoice date.
  - b. Project name and number.
  - c. Name of TVTC.
  - d. An individual entry for each legal task performed, and time billed for each individual task. "Block billing" for all tasks performed in one day, without designation of time for each task, will not be accepted by TVTC.
  - e. Date of each legal task and total time for each task performed.
  - f. Name, or acronym, for each attorney/paralegal performing the task and hourly rate of the person performing each legal task.
  - g. Time billed for each legal task must be charged in increments of a tenth of an hour increments.
  - h. Fees billed for each legal task must be listed under each attorney performing said tasks by the day, broken out as set forth in (g) above.
  - i. Individually itemized disbursements for costs must be illustrated on bill.
  - j. A summary of services, including the total time and fees per attorney/paralegal, per invoice.
  - k. A separate bill for each case must be provided. Bill should indicate, in addition to the foregoing, total fees and costs billed to date and credits paid by TVTC to date and a comparison to original estimate at outset of case.
  - l. On all fee bills or billing statements, actual time in units of one-tenth (1/10<sup>th</sup>) of an hour shall be charged instead of using minimum transaction times.
4. Expenses and Costs

RLF shall not bill for the following expense items at more than the specified guidelines:

- a. Photocopying: No more than actual cost, without mark-up, per page or the actual charge of a copy service. Large

copying jobs shall be sent to a capable but economical outside copy service.

- b. Telephone: Actual charges only for long distance calls.
  - c. Fax Machines: No more than actual cost, without mark-up, only for outgoing facsimile transmission.
  - d. Postage: Actual cost of postage for mailing.
  - e. Computerized legal research: Is considered overhead costs of RLF and will not be paid by TVTC.
  - f. Messenger and Delivery: For an outside messenger, the TVTC will pay actual costs without mark-up. For RLF's internal messenger service (between RLF's offices in other cities), charge no more than for an outside service.
  - g. Travel: RLF shall describe in detail on the interim bill any travel expenses incurred by counsel. RLF need not attach supporting receipts. TVTC retains the right to audit travel expenses. RLF should retain receipts and other documentation for at least one (1) year following the conclusion of the case.
5. Billing – Miscellaneous
- a. RLF shall bill only at approved rates.
  - b. RLF shall not charge for overhead items such as costs of seminars, books, association dues, etc.
  - c. RLF shall send its final bill no more than thirty (30) days after completion of the assigned tasks, unless TVTC provide written authority to the contrary.

C. SPECIFIC BILLING REQUIREMENTS

- 1. Where correspondence or phone conversations are charged, the specific identify of the other party shall be included with the time entry. Likewise, if a conference is held, the bill shall identify all participants or attendees.
- 2. Charges for activities such as a file creation, or training of RLF's personnel are considered overhead items and shall not be billed to the file.
- 3. When standardized forms are used, actual time needed by an attorney or paralegal to prepare the pleadings or form for typing shall be billed, not the time originally used to draft the standardized documents or the time needed to type the form or pleading.
- 4. RLF shall not bill for bill preparation tasks, bill explanations, bill disputes and bill corrections.

5. RLF shall not bill for more than an occasional brief (an hour or less) conference between senior and junior attorneys. The TVTC will pay only for the senior attorney's time for such conferences. The conferences shall be demonstrably necessary, i.e., further the prompt performance of RLF's services. This restriction shall not apply to conferences or consultations among team members included in RLF's original proposal to the TVTC.
6. RLF shall not bill for word processing time. RLF shall bill only for the attorney's time not the secretarial or word processing time. RLF shall not bill for multiple redraft of memos, contracts, bid documents, etc. One redraft is occasionally allowed but this allowance is not justification for the redraft of every document prepared.
7. Legal research, when needed, must be carefully directed by partners or senior associates. RLF shall obtain prior approval for legal research exceeding four (4) hours. Routine legal issues shall not be the subject of legal research. A copy of RLF's research product must be maintained in the attorney's file and forwarded to TVTC, upon request, for future reference. Status reports shall indicate how the research on a substantive issue impacts the project.

D. POSITIONS (ATTORNEY/PARALEGAL) WITH THE RLF DESIGNATED FOR BILLING PURPOSES

If a person is designated as a paralegal, the TVTC retains the right to audit the work performed and determine whether such work was performed by a paralegal and doing paralegal activities, e.g., a paralegal should not customarily do clerical work which is overhead expense. The same rule will apply to partners versus associates. If a person's position is incorrectly designated (in the opinion of the TVTC's auditors), bills will be reduced accordingly.

E. AUDITING

1. The TVTC has the right to audit RLF's books and records related to any TVTC matter. The audit applies to all matters referred from or handled for or on behalf of the TVTC.
2. The TVTC reserves the right to seek reimbursement for services or costs for invoices inappropriately billed and paid.

## **Exhibit B**

### **PROPOSED COMPENSATION**

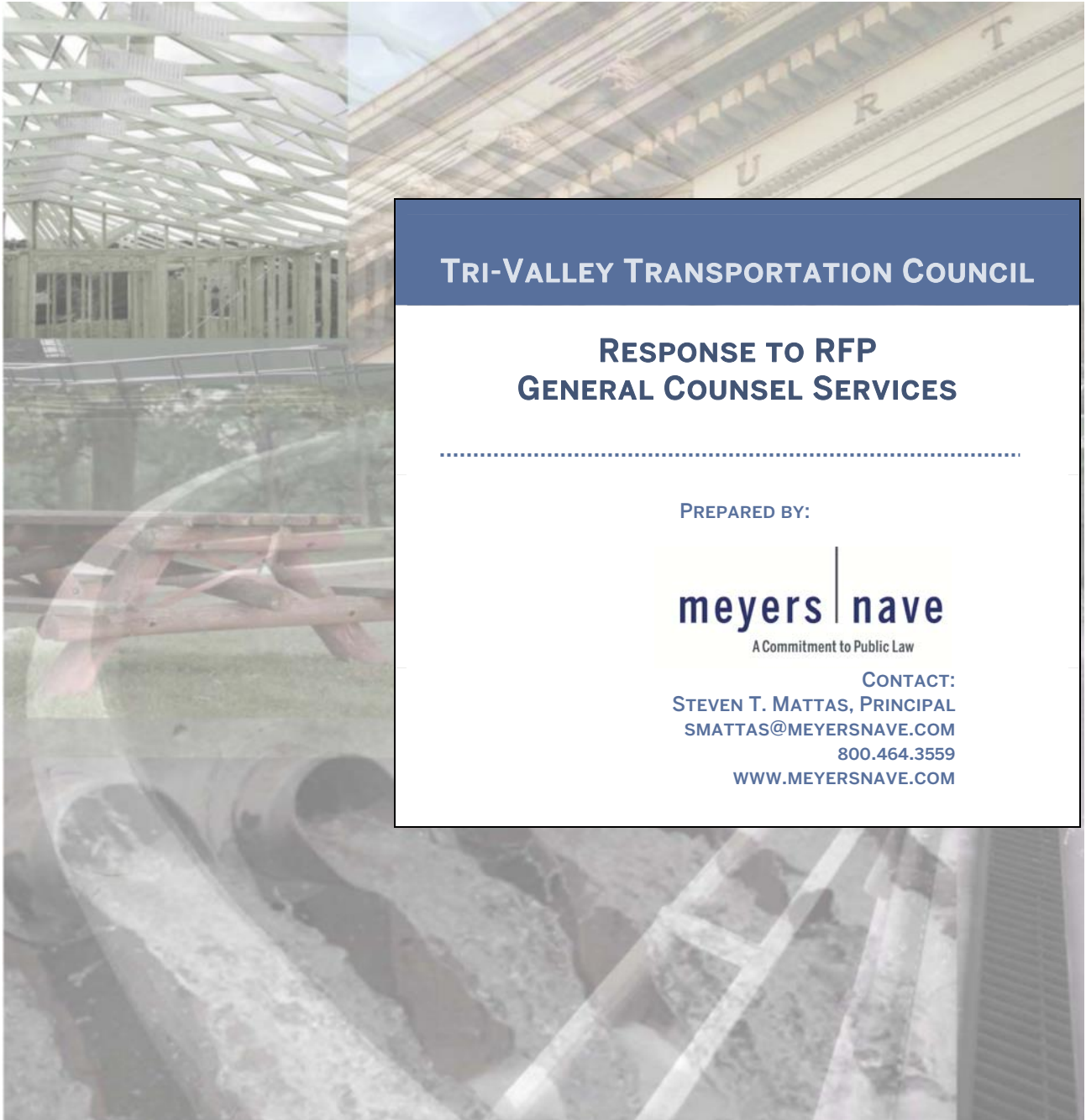
Meyers Nave proposes the following hourly rate structure. The hourly rate for each attorney will be based on his/her experience and complexity of the matter.

<b>GENERAL COUNSEL</b>	
PRINCIPAL STEVE MATTAS	\$310 PER HOUR
ASSOCIATE	\$275 PER HOUR
PARALEGAL	\$115 PER HOUR
<b>SPECIAL COUNSEL</b>	
PRINCIPAL/OF COUNSEL	\$275- \$395 PER HOUR
ASSOCIATE	\$215- \$295 PER HOUR
PARALEGAL	\$135 PER HOUR

Meyers Nave will not charge for office support services, including word processing and facsimile charges. We propose to charge the costs of mileage, photocopying, postage, and any third-party expenses, such as expert witness fees, deposition and court reporter fees, and electronic legal research.

MILEAGE	AT IRS RATES PER YEAR
PHOTOCOPY	\$0.25 PER PAGE
POSTAGE	USPS RATE (CURRENTLY \$0.49 PER OUNCE)
THIRD-PARTY EXPENSES	ACTUAL COSTS

# Exhibit C



## TRI-VALLEY TRANSPORTATION COUNCIL

### RESPONSE TO RFP GENERAL COUNSEL SERVICES

PREPARED BY:

**meyers | nave**  
A Commitment to Public Law

CONTACT:  
STEVEN T. MATTAS, PRINCIPAL  
SMATTAS@MEYERSNAVE.COM  
800.464.3559  
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LOS ANGELES, CALIFORNIA 90071

555 CAPITOL MALL, SUITE 1200  
SACRAMENTO, CALIFORNIA 95814

575 MARKET ST., SUITE 2080  
SAN FRANCISCO, CALIFORNIA 94105

8050 NO. PALM AVENUE, SUITE 300  
FRESNO, CALIFORNIA 93711

555 FIFTH STREET, SUITE 320, SANTA  
ROSA, CALIFORNIA 95401





575 Market Street, Suite 2080  
San Francisco, California 94105  
tel (415) 421-3711  
fax (415) 421-3767  
www.meyersnave.com

Steven T. Mattas  
Attorney at Law  
smattas@meyersnave.com

August 8, 2014

**VIA ELECTRONIC MAIL**

Selection Committee  
Tri-Valley Transportation Council  
c/o Jamar Stamps, TVTC Staff Administrator  
jamar.stamps@dcd.cccounty.us

**RE: RESPONSE TO RFP FOR GENERAL COUNSEL SERVICES**

Dear Members of the Selection Committee:

Thank you for inviting Meyers Nave to submit a proposal to serve as General Counsel for the Tri-Valley Transportation Council (TVTC). We would be pleased to represent TVTC in this role.

Many of the entities Meyers Nave serves—including regional transportation agencies, metropolitan planning organizations (MPOs), and joint power agencies—are charged with building critical transportation infrastructure in the public sector. With 70+ lawyers operating out of offices throughout California, we have the resources required to navigate government frameworks to deliver sound strategies for project development, regulatory compliance, litigation, and operational concerns involving everything from public finance to real estate and government relations. We advise on virtually every area of law that touches public agencies and represent clients throughout a project, from transactional advice to litigation and appeals in state and federal courts.

**TRANSPORTATION LAW**

The interdisciplinary team at Meyers Nave has built extraordinary relationships with public and private entities responsible for the development, upgrading and maintenance of ports and airports, roadways, freeways and interchanges. In addition, we regularly advise local agencies on transit-oriented development projects and compliance of their projects with regional transportation plans.

Importantly, Meyers Nave understands the regulatory landscape impacting transportation and infrastructure plans, in which agencies and their legal advisors must address a slew of funding, permitting and environmental review requirements. Our attorneys are well-acquainted with the primary transportation funding sources associated with the Federal Transit Administration (FTA) and the California Transit Authority. We have been highly successful in helping our clients meet the

requisite guidelines and follow best practices to win funding from these agencies. We have also represented public entities in matters that must comply with the Caltrans Manual, in dealings with the California Transportation Commission, and in establishing and enforcing regional transportation development fee programs that address a wide range of infrastructure needs.

Furthermore, our attorneys have issued legal opinions for clients in support of their grant applications for federal and state funding for both transportation and environmental cleanup projects. We have advised public agencies in connection with grant application and administration, including programs such as the federal Transportation Investment Generating Economic Recovery (TIGER) discretionary grant program, the state Infill Infrastructure Grant (IIG) program, the federal Transit-Oriented Development (TOD) program, and federal programs including the HOME Investment Partnerships program, the Neighborhood Stabilization Program (NSP), and others.

An advantage of our firm is the multidisciplinary approach we practice in serving our clients. Time and again we have resolved a combination of legal issues that often intertwine in transportation agency projects, some of which are described in the next section.

### **PROPOSED GENERAL COUNSEL**

Meyers Nave proposes that I, Steve Mattas, serve as your General Counsel. I will be supported by associates and paralegals as well as other attorneys in the firm for more specialized matters. I have enclosed my biography along with the biography of my colleague, Sky Woodruff, due to his public finance experience.

I am General Counsel for the Ventura County Transportation Commission and South San Francisco Conference Authority, as well as City Attorney for the cities of Walnut Creek, South San Francisco and the Town of Los Altos Hills, and special counsel to several public agencies, including AC Transit and MTC. The *Daily Journal* selected me as one of the “Top 25 Municipal Lawyers in California.” I am also the Co-Managing Editor of Continuing Education of the Bar’s key reference book, *California Land Use Practice*. I previously served as the City Attorney Department representative to the League of California Cities’ Housing, Community and Economic Development Committee and the Environmental Quality Committee.

Due to my general counsel experience, I have a comprehensive understanding of public agency law. I advise on everything from board governance and ethics laws—including the Ralph M. Brown Act, the California Public Records Act, conflicts of interest, and sunshine ordinances—to state and federal procurement laws as well as Joint Exercise of Powers Act (JPA) formation agreements and bylaws. I

### **TRANSPORTATION CLIENTS**

VENTURA COUNTY TRANSPORTATION  
COMMISSION (*GENERAL COUNSEL*)

WEST CONTRA COSTA  
TRANSPORTATION ADVISORY  
COMMITTEE (*GENERAL COUNSEL*)

METROPOLITAN TRANSPORTATION  
COMMISSION (MTC)

ALAMEDA-CONTRA COSTA TRANSIT  
DISTRICT (AC TRANSIT)

BAY AREA RAPID TRANSIT (BART)

TRANSPORTATION AGENCY FOR  
MONTEREY COUNTY (TAMC)

LOS ANGELES COUNTY METROPOLITAN  
TRANSPORTATION AGENCY (MTA)

SANTA CLARA VALLEY  
TRANSPORTATION AUTHORITY (VTA)

SACRAMENTO REGIONAL TRANSIT  
DISTRICT

SOUTHERN CALIFORNIA REGIONAL RAIL  
AUTHORITY (METROLINK)

LOS ANGELES WORLD AIRPORTS

PORT OF LOS ANGELES

have the background to answer most questions immediately, the instincts to know when to dig deeper, depending on what the circumstances warrant, and the understanding of real world implications.

Examples of projects I have handled are described below.

*Regional Fee Programs, Various Clients.* I help public agency clients determine the types of taxes they can impose and comply with the substantive and procedural requirements of applicable law, including: Propositions 13, 26, 218, and 26; state statutes authorizing and regulating local revenue-raising options including AB 1600; and ever-evolving court decisions. I have prepared ordinances or resolutions proposing taxes for a variety of purposes. Some of my work included helping South San Francisco develop and administer the East of 101 and Oyster Point Flyover development impact fees and traffic impact fees, and assisting with numerous projects funded by countywide sales tax measure funds. At Meyers Nave, we have successfully defended clients against both constitutional and procedural challenges to the imposition of local taxes, fees and assessments.

*General Counsel, Ventura County Transportation Commission.* I serve as General Counsel to the regional transportation agency and its board, composed of 17 member representatives from the County Board of Supervisors, city councils, and two public members. Some of the recent projects I have advised on include: the procurement of buses and transportation vehicles, federal highway grant funding agreements, applications for TIGER grants, and funding agreements for freeway improvements related to increasing transportation efficiency (carpool lanes and HOT lanes). I also regularly counsel Commission staff regarding grant, contract and allocation agreements pertaining to Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) funds.

*The Crows Landing Base Reuse Project, Stanislaus County.* I helped prepare a development agreement and long-term ground leases for the re-use and redevelopment of the Crows Landing Naval Air Facility—an inland railroad port to connect Stanislaus County to the Port of Oakland. The project involved redevelopment of the 1,528-acre former base for use as a rail port and intermodal storage yard, a general aviation airport, and an array of distribution, warehouse, manufacturing and business park uses on the former base and approximately 1,268 acres of adjacent property.

*Transit Area Specific Plan, City of Milpitas.* I advised the City of Milpitas on an Environmental Impact Report (EIR) for transit-oriented development planned around a BART station. Major issues included traffic, air quality, and adequacy of public utilities and services.

*Cooperative Agreement, BART Extension, South San Francisco.* In relation to the Bay Area Rapid Transit extension into San Mateo County, I negotiated a cooperative agreement between the City of South San Francisco and BART for the South San Francisco transit station and the use of a BART/SamTrans right-of-way for a linear park above the underground system. The linear park, known as Centennial Way, won the 2010 Helen Putnam Award from the League of California Cities.

## REFERENCES

Ventura County Transportation Commission, Darren Kettle, Executive Director  
950 County Square Drive, Suite 207, Ventura, CA 93003  
Telephone: 805.642.1591; Email: dkettle@goventura.org

Town of Los Altos Hills, Carl Cahill, City Manager  
26379 Fremont Road, Los Altos Hills, CA 94022  
Telephone: 650.947.2514; Email: ccahill@losaltoshills.ca.gov

County of Stanislaus, John "Jack" Doering, County Counsel  
1010 10th Street, Suite #6400, Modesto, CA 95354  
Telephone: 209.525.6376; Email: john.doering@stancounty.com

City of Coronado (formerly Asst. City Manager in Milpitas), Blair King, City Manager  
1825 Strand Way, Coronado, CA 92218  
Telephone: 619.522.7337; Email: bking@coronado.ca.us

## PROPOSED COMPENSATION

Meyers Nave proposes the following hourly rate structure. The hourly rate for each attorney will be based on his/her experience and complexity of the matter.

GENERAL COUNSEL	
PRINCIPAL STEVE MATTAS	\$310 PER HOUR
ASSOCIATE	\$275 PER HOUR
PARALEGAL	\$115 PER HOUR
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MILEAGE	AT IRS RATES PER YEAR
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THIRD-PARTY EXPENSES	ACTUAL COSTS

We propose to adjust our rates on an annual basis/beginning of each fiscal year, beginning July 1, 2015, by the relevant local U.S. Department of Labor's Consumer Price Index (CPI) increase over the prior 12-month period. This increase would be rounded to the nearest \$5, and not be less than 2 percent and not more than 5 percent.

Having served public agencies for as long as we have, our broad and comprehensive perspective will benefit TVTC. We can address challenging situations efficiently as well as rely on past experience to provide simple, straightforward guidance on routine matters. I look forward to speaking with you further regarding our qualifications. In the meantime, please feel free to contact me should you need any additional information.

Very truly yours,



Steven T. Mattas  
Principal

Enclosures:

- Firm Overview
- Attorney Biographies

**OUR COMPREHENSIVE LEGAL KNOWLEDGE AND DEEP ROOTS IN CALIFORNIA'S COMMUNITIES BENEFIT OUR CLIENTS.**

**PRACTICE AREAS**

- Municipal & Special District Law
- Climate Change & Green Initiatives
- Crisis Management: Public Policy, Ethics & Investigations
- Construction & Facilities
- Economic Development, Real Estate & Affordable Housing
- Eminent Domain & Inverse Condemnation
- Environmental Law
- First Amendment
- Labor & Employment
- Land Use
- Public Contracts
- Public Finance
- Public Power & Telecommunications
- California Public Utilities Commission
- Transportation & Infrastructure
- Trial & Litigation
- Writs & Appeals

Meyers Nave was established in 1986 in San Leandro by four attorneys. Over the last 28 years, our firm has grown to be one of the premier law firms in California, employing 70+ attorneys in six offices —Oakland, Los Angeles, San Francisco, Sacramento, Santa Rosa and Fresno — providing legal advice, transactional assistance, and litigation services in the various areas impacting public entities.

Meyers Nave’s reputation stems from our readiness to help clients find creative solutions to financial, regulatory and legal issues. Our extensive knowledge of municipal law—coupled with hands-on experience in negotiating and litigating—allows us to cut to the core of issues and resolve them quickly.

Our clients include California cities, towns, and counties as well as water districts, fire districts, risk management authorities, open space districts, harbor districts, sanitation districts and other special districts. We work closely with public officials—council members, board members, city and general managers, and managers and directors of planning, human resources, public works, finance, and risk departments—to help manage and optimize programs and initiatives.

Many of our attorneys are recognized authorities in their areas of specialization. As a team, we deliver the best of both worlds: the insight and perspective of “insiders” and the objectivity of a “third party” resource.

As a firm, we encourage pro-bono work, sponsor firm-wide volunteer opportunities, and actively participate in other activities that strengthen our workplace and our communities. Our innovation and creative accomplishments spring from the staff’s commitment to maintain positive and socially responsible workplaces.

**CULTURE & DIVERSITY**

Diversity at Meyers Nave reflects the face of our clients. We recruit, train, and promote attorneys and staff to represent clients who share our value of inclusion, be it gender, race, cultural or sexual orientation. Moreover, we believe that the best kind of teamwork comes from bringing together people of various backgrounds and experiences to represent our clients.

The individuality of our attorneys—the collection of backgrounds and perspectives our lawyers bring to work every day—makes us more understanding, effective and powerful advocates for our clients. The firm’s Strategic Plan outlines specific measures to ensure this continued and growing commitment.





Meyers Nave's culture of inclusion also inspires our service ethic. We welcome opportunities to partner with our clients not just as legal counsel, but on other efforts that advance diversity and inclusion within our organizations and our communities.

For example, a group of attorneys and staff participated as the Meyers Nave team in the 2014 AIDS LifeCycle—a week-long coastal bicycle ride from San Francisco to Los Angeles. We are also active with the Filipino Bar Association of Northern California, the Lesbian & Gay Lawyers Association of Los Angeles, the Bay Area Lawyers for Individual Freedom LGBTQ Partners & Associates, the California Association of Black Lawyers, and the Women Lawyers of Alameda County, among other organizations.

#### **GREEN INITIATIVES**

Meyers Nave offices employ building features such as automatic lights to save energy. In our employee kitchens, we offer recycling and composting, as well as compostable “plastic” products for times when disposable plates and cups are needed. Whenever possible, we print work product on 100 percent recycled paper.

As a result of our efforts, Meyers Nave was named a “Green Power Partner” by the American Bar Association Section and the U.S. Environmental Protection Agency.

#### **CONTINUING EDUCATION**

Our firm incentivizes and pays for continuing legal education on an annual basis for all attorneys. We are a certified provider of the California State Bar's continuing legal education (CLE) to other lawyers and public officials. Further, we operate many informal programs to allow our attorneys to learn from each other, including ongoing in-house training (e.g., attorneys experienced in specialized areas present seminars to attorneys firm-wide).

To keep a pulse on the latest legal developments, our attorneys constantly monitor judicial decisions, scan the news, and subscribe to a service that reports new state and federal cases on a daily basis. Within our firm, the various practice groups continuously inform their members, as well as other attorneys in the firm, about new legal developments—and we routinely send e-alerts to clients and interested parties about new developments.

Our attorneys are active members of and speakers for numerous public law organizations, including the League of California Cities and the California Special Districts Association.

#### **CLIENT SERVICES**

Our objective is to give our clients the tools to better evaluate legal issues and access legal services more efficiently. To this end, we provide clients with free seminars, e-mail alerts and a blog that allows our attorneys to share information about legal events and personal insights.

Some of our firm's recent presentations covered these topics: human resources, green building, transit-oriented development, public contracts and procurement regulations, and the Brown Act. We also offer our clients training opportunities such as how to handle public records requests and give employee evaluations.

#### **PRO BONO SERVICES**

Pro bono work is a frequent way we choose to make meaningful, significant contributions to the communities in which we work and live.

Meyers Nave's attorneys are actively involved in the Volunteer Legal Services Corporation, a tax-exempt charitable organization and arm of the Alameda County Bar Association, supporting low income Alameda County residents with essential legal advice. Our attorneys also provide pro bono legal services to The Living Room, the McYollum Youth Court, La Cocina, and the Davis Street Family Youth Center, among others.

In addition, we give a portion of our profits each year to select non-profit organizations in the regions where our offices are located. Our Pro Bono Committee oversees our pro bono work as well as our charitable giving.



**Steven T. Mattas**  
Principal

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**Practice Groups**

Climate Change and Green Initiatives

Environmental Law

Land Use

Economic Development, Real Estate and  
Housing

Municipal and Special District Law

Transportation and Infrastructure

**California Bar Number**

154247

**Education**

University of California at Davis, JD, 1991

University of California at Los Angeles, MA  
Architecture and Urban Planning, 1988

University of California at Irvine, BA Social  
Ecology with an emphasis in Urban Planning,  
1986

**Practicing Since:** 1991

Steven Mattas is the City Attorney for the City of South San Francisco, City of Walnut Creek and Town of Los Altos Hills. He also serves as General Counsel for the Ventura County Transportation Commission and South San Francisco Conference Authority and as special counsel to several public agencies and private developers. Steven focuses his practice on land use, environmental law, public agency elections and municipal law. The *Daily Journal* selected Steven as one of the “Top 25 Municipal Lawyers in California” for 2011. And in 2013, Steven received the Martindale-Hubbell AV Preeminent Rating, the highest possible rating from members of the Bar.

Recognized statewide for his land use work, Steven is the Co-Managing Editor of Continuing Education of the Bar’s important reference book, *California Land Use Practice*. In addition to serving as co-editor, he authored and contributed to several chapters of the book, including those covering general and specific plans, sustainability and climate change regulations, housing, and specially regulated land uses. He co-authored the chapter on compliance with federal, state and regional agency requirements, which includes discussion of wetlands regulation, endangered species regulation, wastewater and stormwater discharges, annexation issues, and much more. In 2013, Steven was recognized as a “Top Rated Lawyer in Land Use and Zoning” by the Martindale-Hubbell register of preeminent lawyers.

In addition to his active legal practice and his work on *California Land Use Practice*, Steven frequently authors articles and gives presentations on land use law, redevelopment law, public agency compliance with the Americans with Disabilities Act, density bonus regulations, the regulation and amortization of adult businesses, and other topics in his realm of experience. He has spoken before the California State Bar, the League of California Cities and many other organizations. He previously served as the City Attorney Department representative to the League of California Cities’ Housing, Community and Economic Development Committee and the Environmental Quality Committee. Steven has also served as an expert witness on land use and Fair Housing Act issues for the City of San Diego.





**Sky Woodruff**  
**Principal**

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Oakland, CA 94607

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F: 510.444.1108  
swoodruff@meyersnave.com

**Practice Groups**

Municipal and Special District Law

Public Finance

**California Bar Number**

197204

**Education**

University of California at Berkeley Boalt  
Hall School of Law, JD, 1998

Georgetown University Walsh School of  
Foreign Service, BS Humanities and  
International Affairs, summa cum laude  
and with honors in History, 1994

**Practicing Since:** 1998

Sky Woodruff advises public agency clients on general municipal law issues, specializing in the areas of revenue and taxation, elections law, land use and environmental law, and telecommunications. Since joining the firm in 2000, he has worked with a number of cities and agencies, assisting both with special projects and with the diverse array of issues confronting local governments on a daily basis. Sky serves as City Attorney for the cities of El Cerrito and Larkspur.

With an eye toward preserving and enhancing local government revenue, Sky has helped several cities update and adopt development impact and other fees and has assisted with the implementation of a variety of assessments. He has also advised public agencies in all areas of elections law and has broad experience with local initiatives and referenda. He is able to assist clients in all aspects of the election process, or with specific needs. He is commonly asked to assist his clients with:

- Developing election strategy;
- Analyzing and providing opinions regarding the lawfulness of various measures, including those affecting such topics as land use, taxes and the structure of local government;
- Preparing materials for measures sponsored by local governments; and
- Successfully challenging unlawful ballot measures and defending measures proposed by local governments from such challenges.

Sky has advised his clients on parcel, utility users', transient occupancy and other taxes within the limitations imposed by Propositions 13, 62 and 218. As part of his land use practice, Sky has advised public agencies in various aspects of projects ranging from simple variances to large-scale residential and commercial developments. Sky serves on the League of California Cities Ad Hoc Prop. 26 Committee.

## EXHIBIT 2

### Updated EXHIBIT B—Billing Rates

#### PROPOSED COMPENSATION

Meyers Nave proposes the following hourly rate structure. The hourly rate for each attorney will be based on his/her experience and complexity of the matter.

<b>GENERAL COUNSEL</b>	
PRINCIPAL	\$325 PER HOUR
ASSOCIATE	\$290 PER HOUR
PARALEGAL	\$130 PER HOUR
<b>SPECIAL COUNSEL</b>	
PRINCIPAL/OF COUNSEL	\$300-\$410 PER HOUR
ASSOCIATE	\$230-\$310 PER HOUR
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MILEAGE	AT IRS RATES PER YEAR
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THIRD PARTY EXPENSES	ACTUAL COSTS

# Item 5.1

# TRI-VALLEY TRANSPORTATION COUNCIL

**Steven Spedowfski**  
**TVTC Chair**  
**Vice Mayor**  
Livermore  
(925) 960-4016

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** July 17, 2017

**Arne Olson**  
**TVTC Vice-Chair**  
**Councilmember**  
Pleasanton  
(925) 200-8579

**Subject:** Review of Draft 2017 Contra Costa County Countywide Transportation Plan Update

**Scott Perkins**  
**Councilmember**  
San Ramon  
(925) 973-2530

**Don Biddle**  
**Vice Mayor**  
Dublin  
(925) 833-6650

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## BACKGROUND

In May 2017, the Contra Costa County Transportation Authority (Authority) released the Draft 2017 Contra Costa Countywide Transportation Plan (CTP) Update for review by all interested parties. The CTP provides the Authority's vision, goals, and strategies for addressing existing and future transportation challenges. The centerpiece of the Plan is a Long Range Transportation Investment Program (LRTIP) that specifies how the Authority could invest \$6.4 billion in leveraged, new revenues on streets and highways, BART, ferries, buses, bicycle, and pedestrian facilities through the year 2040. Comments on the 2017 Draft CTP are due by Friday, July 28, 2017.

**Karen Stepper**  
**Councilmember**  
Danville  
(925) 275-2412

## DISCUSSION

Contra Costa County's Measure J requires the Authority to prepare and periodically update a CTP. The first CTP was adopted in 1995. Subsequent updates were adopted in 2000, 2004, and 2009. The 2017 CTP Update will constitute the fourth update to the Plan. The CTP is the blueprint for Contra Costa's transportation system over the next 23 years. This long-range vision document for transportation identifies the projects, programs, and policies that the Authority Board hopes to pursue through the year 2040. The CTP identifies goals for bringing together all modes of travel, networks, and operators to meet the diverse needs of Contra Costa.

**Scott Haggerty**  
**Supervisor District 1**  
Alameda County  
(510) 272-6691

### Work Completed Since the 2009 CTP Update

The Authority generally updates the CTP every four to five years. The 2017 CTP Update is an exception in that the last CTP (the 2009 CTP Update) was adopted in July 2009, eight years ago. While a significant amount of planning work has been completed since 2009, adoption of a CTP Update, previously slated for 2014 was, for a variety of reasons, delayed. Below is a summary of key milestones during the last few years:

- During 2012 and 2013, the Regional Transportation Planning Committees (RTPC) worked to update the Action Plans for Routes of Regional Significance. The Action Plans identify major roadways and corridors within each subarea (West, Central, East, Lamorinda, and the Tri-

## TRI-VALLEY TRANSPORTATION COUNCIL

Valley), and set quantitative performance objectives to be achieved over a specified period. The Action Plans provide the local building block for the comprehensive CTP.

- The Draft Action Plans were adopted by the RTPCs in early 2014. Later in the year, each RTPC forwarded a “Proposal for Adoption” to the Authority for incorporation into the Final CTP.
- The first draft of the 2014 CTP Update was released in August 2014, along with a Draft Environmental Impact Report (DEIR). This first draft followed the structure of previous CTPs in that it included a financially-unconstrained project list. This unconstrained list, called the Comprehensive Transportation Project List, or CTPL, was also evaluated in the DEIR. At the time of the release of the first Draft CTP, the Metropolitan Transportation Commission (MTC) was in the process of updating its Guidelines on county-level CTPs.
- During Fall 2014, the Authority undertook an unprecedented public outreach effort that applied a variety of techniques to reach a broad cross-section of the community. This included public workshops, stakeholder tool kits, an online public engagement survey/comment tool, a telephone Town Hall, distribution of hand-written survey materials, and targeted mail to alert the residents and businesses of Contra Costa about upcoming events. All told, over 5,000 people participated.
- The Authority, having received extensive public input during the Fall of 2014, and in light of changes to MTC’s CTP Guidelines, postponed the adoption of the CTP to allow additional time to incorporate comments received.
- During 2015, work began on a possible Transportation Expenditure Plan (TEP), which defined a financially-constrained list of projects for possible consideration by the voters of Contra Costa, to be funded through a half-percent sales tax. In parallel, the Authority adjusted the work plan for the CTP to include the evaluation of one or more financially-constrained transportation investment scenarios.
- A second draft was prepared for release in January 2016. The second draft followed MTC’s revised Guidelines (adopted by MTC in November 2014). It included three financially-constrained transportation project lists for analysis. In parallel, the Authority was working with the Expenditure Plan Advisory Committee to develop a draft TEP.
- In December 2015, the Authority directed staff to postpone release of the second draft CTP for two reasons; first, delays were encountered with the development of the draft TEP (Consequently, the CTP did not have a clearly defined TEP for evaluation), second, the Action Plans were impacted by new legislation – Senate Bill (SB) 743, which directs the Governor’s Office of Planning and Research to revise the California Environmental Quality Act of 1970 (CEQA) Guidelines to eliminate the use of Level of Service in EIRs. This legislation presented issues for using the Action Plan objectives, many of which were delay based, for the evaluation of new projects in an EIR.
- During 2016, the Authority continued work on the TEP, which went to the ballot in November 2016 as Measure X. There was substantial public input and comment on the TEP. All of these comments received during the TEP development and outreach process are being

# TRI-VALLEY TRANSPORTATION COUNCIL

taken into consideration as we develop the 2017 CTP Update. This ballot measure did not pass. Following the election, the Authority approved a revised work plan for the completion of a CTP Update during calendar year 2017.

- On February 14, 2017, the Authority issued a Notice of Preparation (NOP) of the DEIR for the 2017 CTP Update.
- On May 24, 2017, the Authority published the Draft 2017 CTP Update for public review.

## Schedule

The schedule below summarizes key dates and activities for review of both the 2017 CTP Update and the EIR:

<b>May 24</b>	Authority staff published the 2017 CTP Update and launched an online open house website ( <a href="http://www.2017CTPupdate.net">www.2017CTPupdate.net</a> )
<b>June 16</b>	Authority staff publishes the Draft EIR
<b>June 16-Aug 1</b>	45-day comment period for Draft EIR
<b>July 5</b>	Planning Committee holds public meeting on draft 2017 CTP Update & DEIR
<b>June 19</b>	CCTA Public Meeting
<b>June 29</b>	Public Open House
<b>Aug 1</b>	Close of comment period on draft 2017 CTP Update and DEIR
<b>Sept 6</b>	Planning Committee reviews & recommends adoption of 2017 CTP Update
<b>Sept 20</b>	Authority certifies Final EIR and adopts Final 2017 CTP Update (tentative)

## RECOMMENDATION

TVTC provide comments to CCTA on the 2017 Draft CTP by July 28, 2017

## ATTACHMENTS

1. Executive Summary of the Draft 2017 CTP
2. Draft 2017 CTP Volume 1, available for download at [www.2017CTPupdate.net](http://www.2017CTPupdate.net)
3. Draft 2017 CTP Volume 2, available for download at [www.2017CTPupdate.net](http://www.2017CTPupdate.net)

# Attachment 1

# 2017 Countywide Comprehensive Transportation Plan

Volume I

**PUBLIC  
REVIEW  
DRAFT**

May 24, 2017





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# Executive Summary

*The Contra Costa Countywide Transportation Plan, or CTP, is the blueprint for Contra Costa’s transportation system over the coming decades. This long-range vision for transportation identifies the projects, programs, and policies that the Authority Board hopes to pursue. The CTP identifies goals for bringing together all modes of travel, networks and operators, to meet the diverse needs of Contra Costa and to support Plan Bay Area.*

*By improving the transportation system, we can help to address the challenges that a growing population, more jobs, and more traffic will bring. We also see new opportunities—from technological innovation to the benefits of active transportation—to address the challenges of growth and change without more roads. The CTP lays out a vision for our transportation future, the goals and strategies for achieving that vision, and the future transportation investments needed to promote a growing economy, advance technological changes, protect the environment, and improve our quality of life.*

## **INNOVATION IS THE KEY**

Innovation is the guiding theme for this CTP, with the Authority taking the lead on introducing and managing new technology, funding and constructing improvements to the county's transportation infrastructure, and overseeing ongoing transportation programs. These new initiatives, coupled with current programs and projects and the Authority's growth management program, will reduce congestion, improve air quality, and provide mobility options for all residents without undertaking major expansion projects. Since 1989 the Authority has been actively and successfully engaged in long-range planning for critical transportation infrastructure projects and programs that connect our communities, foster a strong economy, manage traffic, expand transit service, and safely and efficiently get people to their destination of choice. Building on prior CTPs, the 2017 CTP sets forth a viable, transformative framework to continue this mission, using technology and innovation to make the best use of available resources.

To be effective and responsive, the Authority works closely with the Regional Transportation Planning Committees (RTPCs), local jurisdictions, transit agencies and paratransit providers and regional and state partners – MTC, ABAG, the Bay Area Air Quality Management District, the Bay Conservation and Development Commission, Caltrans, and the California Air Resources Board, among others.

## **CHALLENGES AND OPPORTUNITIES**

The population of Contra Costa and the region will continue to grow. Nearly 300,000 new people, 88,000 new households and 122,000 new jobs are expected in Contra Costa County by 2040, accounting for between 10 and 13 percent of total growth for the region. Increased population and jobs will place new demands on our transportation system, but we also have new tools and innovative approaches to help meet those demands.

### **Challenges**

The challenges will be to plan for future needs in areas of growth, facilitate economic development, and help local jurisdictions respond to and facilitate new technologies, including electric vehicles, transportation network companies, and connected/autonomous vehicles, to serve development and respond to changing demographics and travel patterns. Responding to environmental mandates, particularly

air quality, and concerns about rising tides, public health, and equity also will be important. And finally, maintaining and operating the system we have remains a pressing challenge.

### **Projected Growth in Population and Jobs**

While the rate of growth in Contra Costa is slowing, the Authority still expects substantial growth through 2040. A 27 percent increase in our population, a 31 percent increase in our workforce, and a 36 percent increase in the number of jobs is expected by 2040 in Contra Costa. To accommodate that growth, Contra Costa will need to provide housing, as well as the schools, stores and other services needed to support the projected population increase.

<b>Table ES-1: ABAG Projections 2013 for Contra Costa County 2010 and 2040</b>				
	<b>2010</b>	<b>2040</b>	<b>Change</b>	<b>% Change</b>
Population	1,049,000	1,328,000	279,000	27%
Households	375,000	464,000	89,000	24%
Employed Residents	442,000	580,000	138,000	31%
Jobs	345,000	468,000	123,000	36%

Source: ABAG Projections 2013.

While both jobs and population will increase throughout Contra Costa, growth will be faster in some areas of the county than others. Population growth in West, Central, and East County is expected to be the highest. Job growth in East and Central County is expected to outpace other areas, with the lowest rate of growth found in the Lamorinda subarea.

The demographics of the county will change as well. The median age of the county is likely to increase as “Baby Boomers” age. Seniors may rely more on transit and paratransit than the working population because of mobility challenges. For them, services provided by transportation network companies such as Lyft and Uber and, over the longer term, shared autonomous vehicles, will be a real benefit. However, these private operations will need to adapt to senior’s mobility challenges, or the impact on publicly funded paratransit services will be substantial.

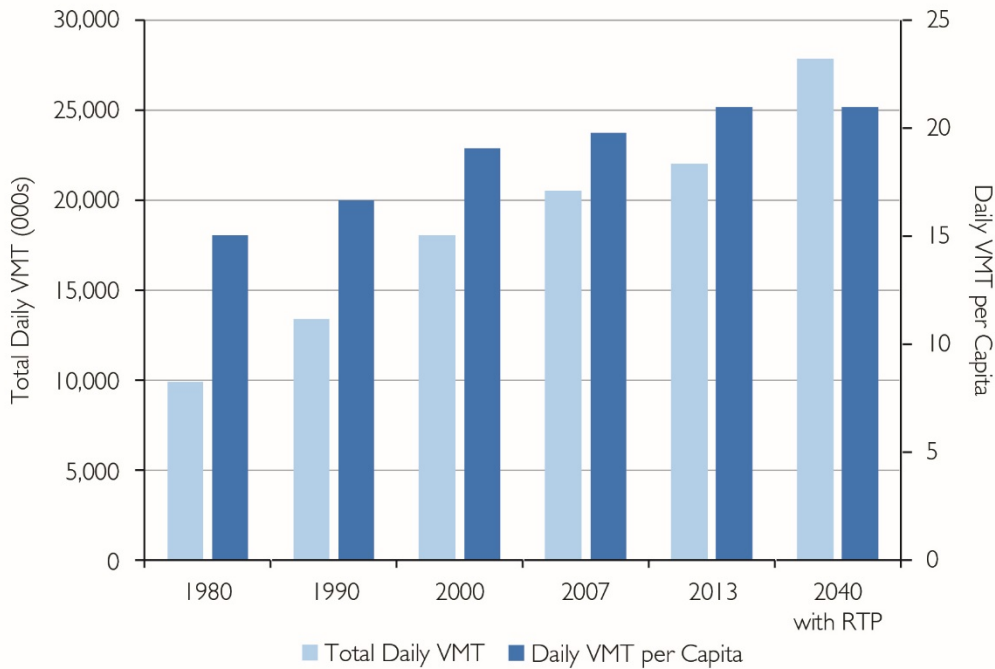
In addition, as more families move to Contra Costa County, especially into the East County, Central, and Tri-Valley areas, safe transportation options for school children

will become increasingly important. The “millennials,” as the generation born after 1980 is known, are driving less frequently than older generations, but whether this is a trend or only a short-term phenomenon is not yet clear. Partly, they are responding to the high cost of owning and operating a vehicle, and also many are choosing to live in close-in, walkable neighborhoods. If this trend continues, and it may not, it would mean that forecasts of increased congestion may be excessively dire; however, we also expect more delay on our roadways, especially those used for the daily commute to work.

**How Will Growth Affect Travel and Congestion?**

The increase in population will increase travel demand throughout the transportation system; it also will affect congestion throughout the county. The share of trips taken by car is expected to remain at about 92 percent of all trips. Therefore, vehicle miles traveled (VMT) will continue to increase even though the amount individuals drive, VMT per capita, is expected to level off, as shown in Figure ES-1. But an increase in total VMT does not translate into more air pollutants; as more electric and clean-fuel vehicles take to the road, tailpipe emissions will become cleaner.

**Figure ES-1: Average Weekday VMT and VMT per Capita in Contra Costa County 1980-2040**

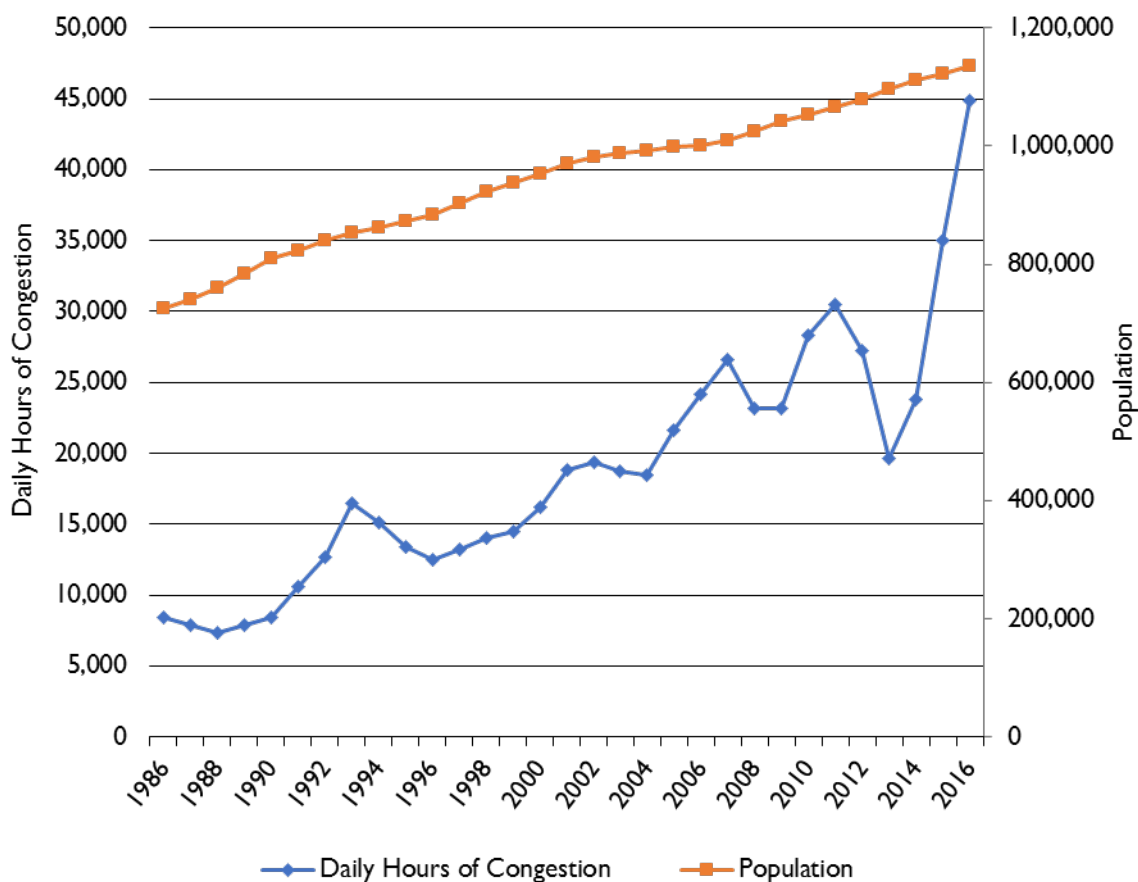


Source: Year 1980 estimated based on ARB Almanac 2007; Years 1990-2007 from 2005 MTC Travel Forecasts; Year 2013 and 2040 from Fehr and Peers and Dyett & Bhatia, 2015.



Over the past 30 years, overall traffic congestion has increased at a faster rate than population growth, as shown in Figure ES-2. In 1986, for example, drivers in the county experienced about 8,400 hours of delay on streets and highways; by 2012, this delay had increased over three-fold to 27,300 hours. More recently, the past three years show average vehicle hours of delay increasing by 50 percent over 2012. Downturns in the growth trend occurred during economic recessions. The County's population, by contrast, only grew 43 percent during this same time period. Before the fourth bore of the Caldecott tunnel opened at the end of 2013, the SR-24 bottleneck in Orinda was one of the Bay Area's top ten list of worst bottlenecks. The SR-4 widening from four to eight lanes, which was completed in 2015, lessened congestion on this segment of the highway, but further east and in the I-680 corridor, traffic congestion remains an issue.

**Figure ES-2: Population Growth and Average Daily Hours of Congestion in Contra Costa County, 1986-2016**



Data Sources: Caltrans District 4, 1986-2008 Hi-Comp Report; 2009-2016 Mobility Performance Report

While these improvements added new capacity to our roadway system, and eliminated some bottlenecks, latent demand added new traffic, somewhat offsetting the perceived benefits of these projects. Corridor management techniques, such as the Integrated Corridor Management approach used on I-80, can serve to meter new demand and reduce congestion.

Looking ahead to 2040, congestion is expected to continue to increase with average vehicle delay more than doubling. New roadway and vehicle technologies, however, can serve to reduce vehicle delay and mitigate lost time and productivity spent in traffic. This would be a significant economic benefit.

### **Environment and Health; the “Vision Zero” Concept**

The transportation system affects our environment and public health. It is responsible for about 40 percent of the greenhouse gas (GHG) emissions in California. The system also is vulnerable to the effects of climate change, most notably rising tides, and more needs to be done to make the system resilient to these changes. Air pollution from mobile sources, especially diesel engines, increases the risk of asthma and lung diseases. Traffic collisions cause fatalities and injuries, and time spent in cars directly relates to increased rates of obesity. However, more opportunities for active transportation, and advanced vehicle technology (electric cars and zero emissions vehicles) and better vehicle connectivity can reduce pollution, improve public health, and reduce accidents.

Vision Zero is an international approach to road safety thinking, which originated in Sweden in the mid-1990s and continues to evolve. It can be summarized in one sentence: No loss of life is acceptable. The Vision Zero approach has proven highly successful as a guiding principle for many transportation organizations and plans. For example, the Intelligent Transportation Society of America (ITSA) has adopted Vision Zero as a primary driver towards intelligent transportation technologies that can improve safety. Indeed, a key part of travel safety is vehicle technology, such as connected/autonomous vehicles, but safety also is provided by roadway design, traffic controls, connectivity, education and training. Increased mobility depends on effective road safety, and this concept is a fundamental component of the CTP.

## Equity

The Authority is committed to the principle of fairness, meaning benefits and burdens that occur from transportation investments should be equally distributed to all residents. The Authority also invites all residents to participate in the decision-making processes through outreach activities, which are described on the following pages.

The equity implications of the Long-Range Transportation Investment Program presented in this CTP were evaluated using MTC's performance targets. The results of this analysis are contained in Volume 2. Overall the 2017 CTP supports *Plan Bay Area's* equity targets for the Regional Transportation Plan (RTP) by offering equitable transportation opportunities for all residents, including those living in Communities of Concern and for minority and low-income residents.

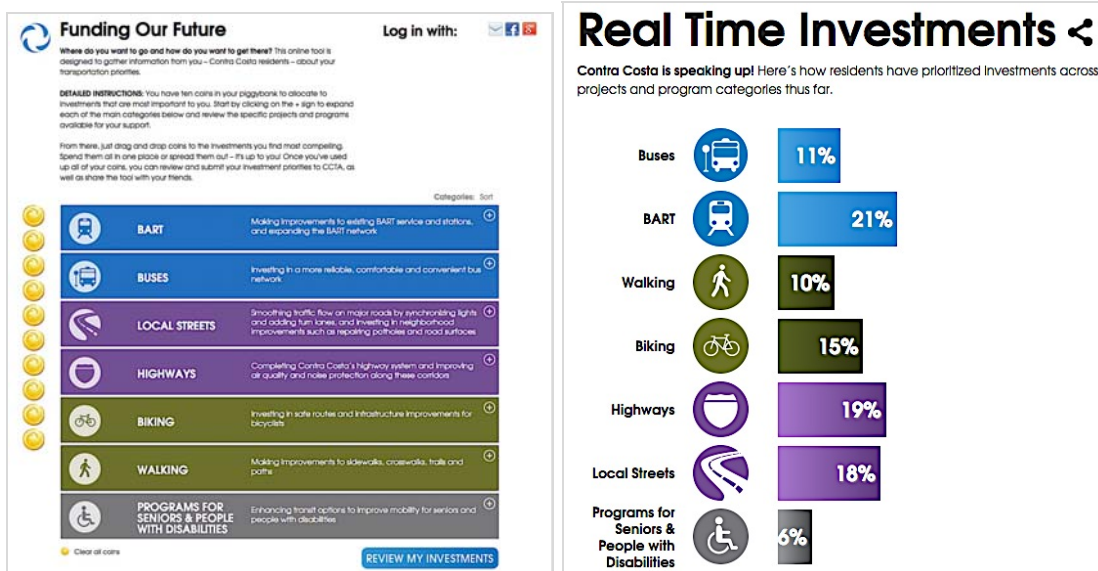
## Opportunities

The CTP supports improvements to the efficiency of existing infrastructure, strategic investments in new capacity, advanced technology, and new potential funding sources to provide opportunities to improve the mobility and accessibility in Contra Costa. New technology, which supports express lanes and integrated corridor management, coupled with proven technologies for traffic signal coordination and ramp metering, is already improving the efficiency of existing roads and freeways. Shared-use mobility services through transportation network companies that facilitate carpooling are filling unused seating capacity of the vehicles traveling on the roads. And the technology on the horizon, such as fully connected and autonomous vehicles, provides huge opportunities for improved efficiency through potential reduction of accidents and increased roadway capacity.

## PUBLIC ENGAGEMENT; OUTREACH ACTIVITIES

The CTP has been prepared with substantial public input since work began on the update in 2014. The Authority's outreach spanned the gamut from traditional forums, public meetings and newsletters to new technologies, including social media. This extensive outreach effort enabled the Authority to learn how residents generally viewed the Plan's proposals and transportation needs. An online public engagement survey/comment tool and a telephone Town Hall, one of the first in the Bay Area, offered individuals the opportunity to engage with the Authority's Board members and

senior staff. The Authority also hosted a website portal that enabled residents to express their priorities by showing how they would allocate funding and prioritize investments across an array of projects and programs.



Those participating in the outreach activities supported a broad range of projects and programs; many also expressed concerns about congestion on arterial corridors and highways across the county; funding for bicycle and pedestrian projects; and climate change. These comments guided Authority staff in making revisions that have been incorporated into the 2017 CTP.

Following release of the Draft 2017 CTP, the Authority will initiate a public engagement process that will allow Contra Costa's residents to weigh in on the Draft Plan. This effort will include:

- Countywide workshops using an "open house" format to facilitate participation;
- Meetings with the Authority's Citizens Advisory Committee;
- Public meetings starting in June to enable the Authority to hear comments from residents and others on the Draft Plan and the Environmental Impact Report (EIR) on the Plan;
- Focus group and stakeholder outreach;

- Workshops and study sessions with the Regional Transportation Planning Committees (RTPCs); and
- Presentations to City Councils, boards and commissions, upon request; and
- An online open house from the end of May through July for residents to learn more about the Plan and provide feedback.

## VISION, GOALS AND STRATEGIES

The following vision encapsulates the role the transportation system will play in supporting the people, economy, and environment of Contra Costa:

*Strive to preserve and enhance the quality of life of local communities by promoting a healthy environment and strong economy to benefit all people and areas of Contra Costa, through (1) a balanced, safe, and efficient transportation network, (2) cooperative planning, and (3) growth management. The transportation network should integrate all modes of transportation to meet the diverse needs of Contra Costa.*

To achieve this vision, the Authority identified five goals for the 2017 CTP.

1. Support the efficient, safe, and reliable movement of people and goods using all available travel modes;
2. Manage growth to sustain Contra Costa's economy, preserve its environment and support its communities;
3. Expand safe, convenient and affordable alternatives to the single-occupant vehicle;
4. Maintain the transportation system; and
5. Continue to invest wisely to maximize the benefits of available funding.

For each of these goals, the Authority has identified strategies for achieving them.

## Investing Wisely

One of the Authority’s goals is to “invest wisely”, because our funding needs far exceed our funding resources. Creating a “wise” investment package will require using our funds to attract funds from other sources and evaluating proposed projects to identify those that best meet the Authority’s vision.

The 2017 CTP outlines the investment priorities proposed by the Authority., It begins with the priorities expressed in MTC’s 2013 RTP, and uses that as a building block to establish new priorities through the Action Plans developed by the RTPCs, from public and stakeholder input, and from recently completed studies that focus on specific corridor issues. It reflects a “bottoms-up” approach, drawing together all of the suggestions for funding that have been submitted since the last CTP was adopted in 2009. Priorities were reviewed with the RTPCs, stakeholders, and the Authority’s advisory committees, and the results of packages of project and programs were evaluated and compared using performance measures established by MTC. The building blocks for the Long-Range Transportation Investment Program (LRTIP) included in the CTP reflects the consensus that emerged from these discussions and Authority direction on a preferred approach.

Measure C and Measure J together have made a substantial dent in funding needed for projects and programs, not only from the revenues they generated, but also the funding they attracted from other sources. The following table shows Measure C/J expenditures by category, including the amount of funds leveraged, for a total of 6.5 billion in Year of Expenditure (YOE) dollars.

<b>Table ES-2: Measures C and J Past and Future Project Expenditures (Year of Expenditure Dollars in Millions)</b>			
<b>Measure C and Measure J</b>	<b>Past</b>	<b>Future</b>	<b>Total</b>
Roadway (highways, arterials and maintenance)	\$755	\$1,031	\$1,785
Transit (rail, bus, ferry, express bus, paratransit, commute alternatives)	\$434	\$738	\$1,171
Pedestrian & Bicycle, including Transportation for Livable Communities, trails, safe transport for children, and subregional needs	\$11	\$323	\$334
Other	\$144	\$373	\$517
<b>Subtotal</b>	<b>\$1,344</b>	<b>\$2,464</b>	<b>\$3,808</b>
Leveraged funds on Measure C & J projects	\$1,721	\$970	\$2,691
<b>TOTAL FUNDS</b>	<b>\$3,065</b>	<b>\$3,434</b>	<b>\$6,499</b>

Note: Past expenditures are through FY 2014-15 up to June 30, 2015.

The Authority maintains a “master” project list that includes all projects – completed, under construction, and proposed. Called the Comprehensive Transportation Project List, or CTPL, this financially-unconstrained project list is used to track all potential projects and their funding status. All told, over \$29 billion in new projects and programs have been identified to maintain and improve our roads, freeways, transit systems, and bicycle and pedestrian facilities, meaning there is a significant unfunded need.

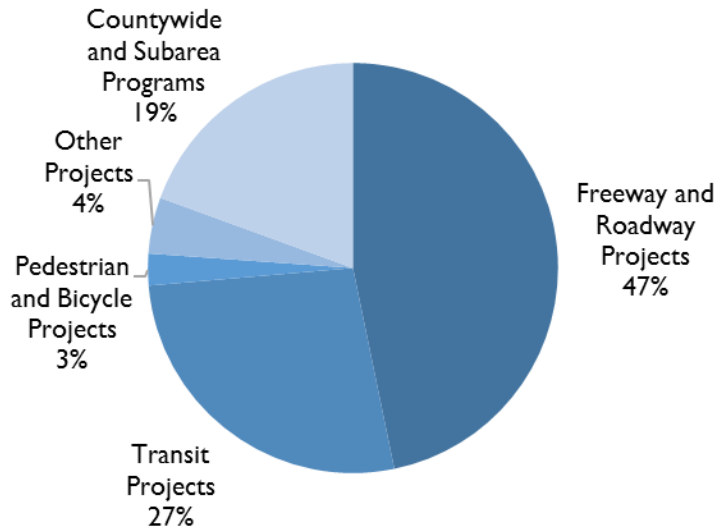
Table ES-3 presents the proposed 2040 funding program that has been developed by the Authority. It reflects a combination of existing and new potential revenue sources and leverage of local sources through State and federal grant programs, with priority given to those programs and projects that will help transform and maintain the transportation system with technology and innovation.

<b>Table ES-3: LRTIP Funding Overview (2017 \$ in Millions)</b>		
	<b>Total Cost</b>	<b>% of Total</b>
Freeway and Roadway Projects	\$3,742	47%
Transit Projects	\$2,150	27%
Pedestrian and Bicycle Projects	\$200	3%
Other Projects	\$355	4%
Countywide and Subarea Programs	\$1,555	19%
<b>Subtotal (Additional Revenues)</b>	<b>\$8,002</b>	<b>100%</b>
2013 RTP Projects Total (Assumed Revenues)	\$3,672	
<b>TOTAL FUNDS</b>	<b>\$11,674</b>	

Note: Numbers may not sum precisely due to rounding.

Figure ES-3 shows a high-level summary of the funding allocations in the LRTIP, including the split between projects and programs and the travel modes supported. Public feedback on these allocations will help the Authority determine whether any adjustments should be made in the final plan to be considered for adoption.

**Figure ES-3: Funding Allocations in the LRTIP (excluding 2013 RTP)**



### **Maintaining our System**

One of the Authority’s greatest challenges is to ensure adequate maintenance of the transportation system, so the capital investments that have been and will be made are not compromised. The 2017 CTP includes new strategies to establish effective preventive maintenance and reduce the backlog of transportation rehabilitation and maintenance needs. Creating a stable funding source for long-term maintenance costs is a Plan priority. With this in mind, the Authority intends to expand the Regional Transportation Mitigation Program to ensure that fees collected cover the costs of ongoing maintenance. New facilities should not be built if they cannot be maintained. Deferred maintenance of existing facilities also is addressed, along with the role of external partnerships, such as the California Transportation Infrastructure Priorities Work Group among others, in helping secure needed funding.

### **IMPLEMENTING THE PLAN**

The 2017 CTP will play an important role in shaping our transportation policy and investment decisions. But how will the Plan be carried out? The CTP outlines the strategies, the partnerships and the guidelines essential for a smooth transition from concept to reality. The Authority will need to work with many agencies to fund and prioritize the programs and projects in the LRTIP. New revenue sources will be



investigated. The potential for public-private partnership also will be explored as they have proven particularly effective in the Bay Area and elsewhere.

Detailed implementation tasks to follow through on the goals and strategies listed in the CTP are grouped into the following eight broad categories:

- Implement Measure J funding programs
- Plan for Contra Costa's transportation future
- Respond to State and federal legislative mandates
- Support Growth Management Program
- Design and construct transportation improvements
- Improve systems management and maintenance
- Build and maintain partnerships
- Secure long-term funding for transportation improvements

The 2017 CTP represents the Authority's long-term plan for investment in our transportation system, cooperative planning, and growth management. Working with its partner agencies, the Authority will apply the strategies outlined in the 2017 CTP to achieve this vision.

# Item 5.2

# TRI-VALLEY TRANSPORTATION COUNCIL

**Steven Spedowfski**  
**TVTC Chair**  
**Vice Mayor**  
Livermore  
(925) 960-4016

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** July 17, 2017

**Arne Olson**  
**TVTC Vice-Chair**  
**Councilmember**  
Pleasanton  
(925) 200-8579

**Subject:** Reaffirm the TVTC's Adoption of the 2015 TVTC Action Plan for Routes of Regional Significance and submit to Contra Costa County for incorporation into the 2017 Contra Costa Countywide Transportation Plan Update

**Scott Perkins**  
**Councilmember**  
San Ramon  
(925) 973-2530

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## BACKGROUND

In January 2015, the TVTC adopted the Tri-Valley Transportation Plan and Action Plan for Routes of Regional Significance (Action Plan) and forwarded it to the Contra Costa Transportation Authority (CCTA) for incorporation into the final Contra Costa Countywide Transportation Plan (CTP). Adoption of the CTP was postponed, however, pending further incorporation of comments received and incorporation of Senate Bill 743 considerations.

**Don Biddle**  
**Vice Mayor**  
Dublin  
(925) 833-6650

In May 2017, Contra Costa County Transportation Authority (CCTA) released a draft 2017 Countywide Transportation Plan (CTP) Update for public review. Adoption of the Final CTP, including the Action Plan, is scheduled for September 2017. At that time, CCTA will environmentally clear both the CTP and Action Plan through a CEQA Environmental Impact Report.

**Karen Stepper**  
**Councilmember**  
Danville  
(925) 275-2412

## DISCUSSION

CCTA seeks the TVTC's re-affirmation of the January 2015 Action Plan for incorporation into Contra Costa's 2017 CTP. TVTC's Action Plan, as approved in January 2015, is included in the Draft 2017 CTP Update by reference, and the full Action Plan is available for review on the CCTA website (<http://www.ccta.net/uploads/5924c44f640e8.pdf>).

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**Supervisor District 1**  
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(510) 272-6691

**Candace Andersen**  
**Supervisor District 2**  
Contra Costa County  
(925) 957-8860

## RECOMMENDATION

TVTC TAC recommends the TVTC re-affirm approval of the 2015 TVTC Action Plan.

## ATTACHMENTS

1. January 25, 2015 TVTC Staff Report and Meeting Minutes Approving TVTC Action Plan
2. 2015 TVTC Action Plan - Chapters 1 and 2

# Attachment 1

**Candace Andersen**  
**TVTC Chair**  
**Supervisor District 2**  
Contra Costa County  
(925) 944-6492

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** January 26, 2015  
**Subject:** Tri-Valley Action Plan for Routes of Regional Significance “Proposal for Adoption”

---

**Steven Spedowski**  
**TVTC Vice-Chair**  
**Councilmember**  
Livermore  
(925) 960-4016

**Arne Olson**  
**Councilmember**  
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**Scott Haggerty**  
**Supervisor District 1**  
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## BACKGROUND

In 2013, the TVTC TAC (TAC) in cooperation with the Contra Costa Transportation Authority (CCTA) began the process of updating the Tri-Valley Action Plan for Routes of Regional Significance (Action Plan). Measure J requires the Action Plans to establish Multimodal Transportation Service Objectives (MTSOs) for each regional route and actions to achieve them. It also requires these plans to establish a process for environmental consultation, and a schedule and procedure for review of certain development projects.

The TAC used the Action Plan update process as an opportunity to review the Action Plan's goals and policies, and affirm or update the MTSOs to better match local conditions and the actions identified to achieve them. Over a series of meetings throughout 2013 and 2014, the TAC:

- Reviewed data such as project demographic trends in the Tri-Valley area, level of service analysis and vehicle trip volume projections.
- Reviewed and updated the Tri-Valley Routes of Regional Significance network.
- Discussed and revised, as appropriate, the overall structure and format of the Action Plan.
- Reviewed and modified the Action Plan goals and policies.

## DISCUSSION

The “Proposal for Adoption” was reviewed by the TAC and revised accordingly. The substantive changes are summarized as follows and shown in the attached excerpts from the “Proposal for Adoption”:

- Page 16 Table 3 – Intersections exempt from LOS MTSO by local General Plans have been removed from the list of exceedances in the 2013 monitoring results and some new ones added as a result of re-analysis of the monitoring data.

- Page 31-34 Section 4.3 – There is a new introduction to the 2040 forecast values for MTSOs - “No Project” and “With Actions”. There is also a replacement of Table 8 with the new values. There are some changes from the 2040 “Baseline” to the 2040 “No Project” because the 2040 “Baseline” had some of the actions of Tri-Valley and other subareas in the model. The 2040 “No Project” has all actions of the five Action Plans removed except those that are fully funded and programmed. The 2040 “With Actions” is new to the document. This analysis had not been performed when the draft was approved in the spring of 2014. An Appendix A was also added providing detailed information about the MTSO on a segment-by-segment and intersection-by-intersection basis. A reference to Appendix A was added to the text.
- Pages 36 and 41 Section 5.2 – A paragraph about the Gateway Constraint Policy that had been moved up in the section has been moved back to its original locations as directed by the TAC in the October 6 meeting.
- Page 46 Table 8 I-680 – The Project “I-680/Sunol Interchange improvements” was added at the request of the Alameda CTC.
- Page 52-53 Section 5.5 – The discussion of the Bay Area Commuter Benefits Program was modified to indicate that it had been adopted by Bay Area Air Quality Management District (BAAQMD) and Metropolitan Transportation Commission (MTC) in March 2014 and employers are now subject to the requirements of the program.
- Page 59 Section 5.7 – The following transit -related action was added as requested by the TVTC TAC at its November 3 meeting: “Support and participate in a joint TVTC/TRANSPAC I-680 corridor high-capacity transit study to relieve congestion on I-680.”
- Page 62-63 Section 6.1 - Changed language about Measure BB to indicate that it was passed by voters in November 2014.

CCTA will incorporate all of the “Proposal for Adoption” Action Plans from all the Regional Transportation Planning Committees (RTPC) into the Final Contra Costa Countywide Transportation Plan (CTP). CCTA is preparing a Final Supplemental Environmental Impact Report (SEIR) on the CTP. The CCTA Board is tentatively scheduled to take action to adopt the Final CTP and certify the Final SEIR by March 2015. Immediately following the CCTA Board’s action, each RTPC will be asked to take a final action to formally adopt their Final Action Plan.

## RECOMMENDATION

*APPROVE the Tri-Valley Action Plan for Routes of Regional Significance “Proposal for Adoption” to forward to the Contra Costa Transportation Authority (CCTA) for incorporation into the Final 2014 Countywide Transportation Plan (CTP).*

## ATTACHMENTS

Pages from Tri-Valley Action Plan “Proposal for Adoption” w/track changes

# MINUTES

## TRI-VALLEY TRANSPORTATION COUNCIL

Danville Community Center – Las Trampas Room

420 Front Street, Danville, CA 94526

January 26, 2015 at 4:00 p.m.

### 1) CALL TO ORDER, ROLL CALL, AND SELF-INTRODUCTIONS

The Tri-Valley Transportation Council (TVTC) was called to order at 4:00 p.m. by the Chair, Supervisor Candace Andersen, Contra Costa County.

#### Members in Attendance:

#### Present

Candace Andersen, Chair, Supervisor District 2, Contra Costa County	X
Steven Spedowski, Vice Chair, Councilmember, Livermore	X
Arne Olson, Vice Mayor, Pleasanton	X
Scott Perkins, Councilmember, San Ramon	X
David Haubert, Mayor, Dublin	
Newell Arnerich, Councilmember, Danville	X
Scott Haggerty, Supervisor District 1, Alameda County	X

#### TVTC Staff:

Debbie Bell, City of Livermore	X
Bob Vinn, City of Livermore	X
Mike Tassano, City of Pleasanton	X
Lisa Bobadilla, City of San Ramon	X
Paul Keener, Alameda County	X
Obaid Khan, City of Dublin	X
Tai Williams, Town of Danville	X
Jamar Stamps, Contra Costa County	X

#### Others in Attendance:

Martin Engelmann, Contra Costa Transportation Authority	X
Saravana Suthanthira, Alameda County Transportation Commission	X
Steven Mattas, Meyers Nave	X
Bill Loudin, DKS Associates	X
Gary Mello, San Joaquin Regional Rail Commission	X
Roxanne Lindsay, Altamont Corridor Express (ACE)	X
Susan Chang, Alameda County Transportation Commission	X
Ramsay Hissen, AECOM	X
Steve Kiefer, City of Livermore	X

### 2) PUBLIC COMMENT

None.

### 3) APPROVAL OF MEETING MINUTES FOR SEPTEMBER 17, 2014

Motion by Councilmember Arnerich; Second by Supervisor Haggerty; abstentions by Vice-Chair Spedowski and Councilmember Olson.

Unanimously Approved (Ayes 5; Noes 0; Abstain 2)

4) **ORAL COMMUNICATION**

None.

5) **OLD BUSINESS**

a. **ADOPT Tri-Valley Transportation Council resolution number 2015-01, Tri-Valley Transportation Development Fee (TVTDF) Schedule (*Action Item*)**

TVTC Board unanimously approved on motion by Councilmember Arnerich; Second by Councilmember Perkins.

b. **ADOPT Tri-Valley Transportation Council resolution number 2015-02, Fiscal Year 2014/2015 Budget (*Action Item*)**

TVTC Board unanimously approved on motion by Councilmember Olson; Second by Vice-Chair Spedowski. Following action, Councilmember Perkins advised beginning process of developing next FY's audit report.

c. **APPROVE Tri-Valley Action for Routes of Regional Significance "Proposal for Adoption" (*Action Item*)**

TVTC Board received a presentation from Bill Loudin (DKS) on the Action Plan Update. TVTC Board unanimously approved on motion by Councilmember Arnerich; Second by Councilmember Perkins.

6) **NEW BUSINESS**

a. **APPROVE City of Livermore Tri-Valley Transportation Development Fee Allocation Request, ADOPT Tri-Valley Transportation Resolution number 2015-03 (*Action Item*)**

TVTC Board received a presentation from Debbie Bell (Livermore) on the subject item. TVTC Board unanimously approved on motion by Vice-Chair Spedowski; Second by Supervisor Haggerty.

b. **APPROVE City of Livermore Proposed Tri-Valley Transportation Development Fee Consideration as "Other" Use for Proposed Development, ADOPT Tri-Valley Transportation Resolution number 2015-04 (*Action item*)**

TVTC Board received a presentation from Debbie Bell (Livermore) on the subject item. TVTC Board unanimously approved on motion by Supervisor Haggerty; Second by Councilmember Arnerich.

7) **OTHER BUSINESS/ANNOUNCEMENTS**



TVTC Board appointed Vice-Chair Spedowfski to the Finance Committee to replace former TVTC Board member Doug Horner.

8) **ADJOURNMENT**

The meeting was adjourned by Supervisor Candace Andersen at 4:45 p.m.

# Attachment 2

Proposal for Adoption

# Tri-Valley Transportation Plan and Action Plan for Routes of Regional Significance



Prepared By:



1970 Broadway Suite 740  
Oakland, CA 94612

February 2015

Prepared For:

Tri-Valley Transportation Council

# Tri-Valley Transportation Plan and Action Plan Update

## Proposal for Adoption

*Prepared by:*



1970 Broadway, Suite 740  
Oakland, CA 94612

February 2015

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# 1 INTRODUCTION

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## 1.1 Overview of the Tri-Valley Transportation Plan and Action Plan Update

The Tri-Valley Transportation Council (TVTC) – made up of the Cities of Dublin, Livermore, Pleasanton and San Ramon, the Town of Danville, and the Counties of Alameda and Contra Costa – adopted its first Tri-Valley Transportation Plan/Action Plan (the TVTC Plan) in 1995 as a guide for transportation planning throughout the Tri-Valley. That first TVTC Plan identified a coordinated approach to addressing the pressing transportation problems in the Tri-Valley, including a list of projects and programs needed to address them. Besides coordi-



nating the development of those projects and programs, the TVTC Plan led to the adoption of the Tri-Valley Transportation Development Fee (TVTDF) which provides funding for some of the key projects included in the plan.

The 2014 TVTC Plan is the third major update. It first reassesses transportation issues within the Tri-Valley area, then refines the vision statements, goals, policies, and objectives, and finally, updates the actions, measures, programs, and projects that will help to achieve the plan objectives. The TVTC Plan also constitutes the Action Plan for Routes of Regional Significance for Contra Costa jurisdictions, as mandated by Measures C and J, and provides information that can be incorporated into the Congestion Management Programs for Contra Costa and Alameda Counties.

As the transportation plan for the Tri-Valley, many of the recommendations and goals in the TVTC Plan are either incorporated into or consistent with the transportation plans prepared by both the Contra Costa Transportation Authority (CCTA) and the Alameda County Transportation Commission (ACTC). In addition, the TVTC joint powers agreement states that member jurisdictions are to consider the TVTC Plan when adopting or amending general plans, specific plans, zoning ordinances, or capital improvement programs. The TVTC Plan is intended to be congruent with, and does not override, existing policies, agreements, and regulations that exist in each jurisdiction or between jurisdictions. For Contra Costa County jurisdictions, the TVTC Plan also fulfills the requirement that each city and town participate in a multi-jurisdictional, cooperative planning process, to be conducted through the Regional Transportation Planning Committee (RTPC). The TVTC Plan and the other Action Plans prepared for subareas in Contra Costa will also form the foundation for a 2014 update of the Contra Costa Countywide Transportation Plan.

The TVTC Plan underwent a focused update in 2000. Another update was undertaken in 2009 that reflected the passage of Measure J in Contra Costa. Since then, new demographic, land use, and travel forecast data have become available. A Sustainable Communities Strategy (SCS) was developed by the Association of Bay Governments (ABAG), the Metropolitan Transportation Commission (MTC), and the Bay Area Air Quality District (BAAQMD) to achieve state-mandated greenhouse gas reductions for the Bay Area; that strategy was the basis for Plan Bay Area, a new Regional Transportation Plan. The SCS and Plan Bay Area identified Priority Development Areas throughout the region where future growth was to be concentrated. All of these events combined have triggered the need to revisit the TVTC Plan to reflect changes in traffic, finance, and policy.



## 1.2 Elements of an Action Plan

In 1988, Contra Costa County voters approved Measure C, a one-half percent sales tax that generated \$1 billion in funding over 20 years. Measure C also included an innovative Growth Management Program (GMP) that encouraged local jurisdictions to participate in a cooperative, multi-jurisdictional planning process, and, among other things, establish flexible traffic service standards for Regional Routes. In November 2004, Measure J was passed by the voters of Contra Costa, extending the sales tax program and the GMP for another 25 years. The Contra Costa Transportation Authority, created to manage this program, allocates 18 percent of the sales tax revenue it receives to local jurisdictions that comply with Measure C and J Growth Management Program requirements. To receive these funds, each Contra Costa jurisdiction must, among other requirements, participate in an ongoing cooperative, multi-jurisdictional planning process. As a part of this process, "Action Plans for Routes of Regional Significance" are to be developed by the Regional Transportation Planning Committees (RTPC) with input from local jurisdictions. The TVTC, composed of elected officials from the seven member jurisdictions (Danville, San Ramon, Dublin, Pleasanton, Livermore, Contra Costa County, and Alameda County), serves as the RTPC for the Contra Costa County portions of the Tri-Valley subregional area.

Each Action Plan must:

1. Identify Routes of Regional Significance,
2. Set Multimodal Transportation Service Objectives (MTSOs), and
3. Establish Actions for meeting those MTSOs and local responsibilities for carrying them out

In addition, local jurisdictions and the RTPCs are to establish thresholds that trigger the evaluation of the impacts of major developments and General Plan amendments for their effects on the local and regional transportation system and the ability to achieve the MTSOs established in the Action Plan. The Tri-Valley Action Plan extends beyond Danville, San Ramon, and Contra Costa County to include Alameda County, Dublin, Pleasanton, and Livermore because of an agreement between all of the Tri-Valley jurisdictions in 1995 to combine the development of Action Plans for the subarea with a Tri-Valley Transportation Plan. This agreement has continued with each update of the Action Plan since that date.

### 1.3 The 2014 Action Plan Update

The 2014 TVTC Plan Update focuses on updating the growth management components to the plan that are required for the Contra Costa jurisdictions to comply with the Measure J GMP. In addition, changes have been reflected for the Alameda jurisdictions with regard to new project priorities and funding opportunities. During the course of the 2014 Update, the TVTC reviewed and updated several major elements of the Action Plan, including the Vision, Goals and Policies; Routes of Regional Significance; Multimodal Transportation Service Objectives (MTSOs); Actions; the Sub-regional Transportation Impact Fee; and Development Review Procedures. The TVTC identified six new Routes of Regional Significance or extensions of existing Routes, all of which had been identified as “Future Routes” in previous plans. TVTC also identified the Iron Horse Trail as a Route of Regional Significance. MTSOs and Actions were identified for the new routes and extensions.



**Vision, Goals and Policies** of an Action Plan help guide its overall direction. Decisions regarding investments, program development, and development approvals are based on these policies.

**Routes of Regional Significance** are roadways or other transportation facilities that are considered to be important from a regional perspective, providing regional mobility and connecting multiple jurisdictions. While the designation of Routes of Regional Significance is the responsibility of the RTPC, they are generally routes that carry significant through traffic, connect two or more jurisdictions, serve major transportation hubs, or cross county lines. For these roadways, the RTPCs use the Action Plan to establish quantifiable performance measures called MTSOs.

**Multimodal Transportation Service Objectives (MTSOs)** represent quantifiable performance measures that are to be maintained or met within a specific timeframe. This may include, for example, average peak-hour speeds, peak-period congestion duration, and roadway level of service.

**Actions** are the specific actions, measures, or programs that the jurisdictions in Tri-Valley agree to in order to achieve the MTSOs. The responsibility of carrying out the actions may be at the local jurisdiction level or at the RTPC level. Actions may involve implementing specific projects at the local level, or they may call for the RTPC to support region-wide projects that have a local impact. (Note: Contra Costa jurisdictions are required to carry out these actions in order to be found in compliance with the Measure C/J GMP).

**Sub-regional Transportation Mitigation Program (STMP)** is the regional transportation fee program adopted by TVTC to generate revenues to fund transportation improvements within the Tri-Valley that are necessary to mitigate the impact of new growth.

**Development Review Procedures** are agreements about how General Plan amendments or major development projects proposed by local jurisdictions will be reviewed by the jurisdictions and TVTC to determine whether the development proposal adversely affects the ability to meet the adopted MTSOs.

## **1.4 Outline of the Document**

**Chapter 2** of this document describes the framework for the Transportation Plan and Action Plan, identifying vision, goals and policies to guide the 2014 Transportation Plan and Action Plan, the Routes of Regional Significance and the updated MTSOs. **Chapter 3** provides a description of the existing transportation conditions in the Tri-Valley. An assessment of the MTSOs from recent monitoring is used to indicate the current status of transportation conditions in the Tri-Valley.

A forecast of 2040 population, employment, and transportation conditions is presented in **Chapter 4**. In this chapter an assessment of the Routes of Regional Significance MTSOs is provided for the 2040 forecast for a baseline condition that assumes only currently funded transportation improvements are in place.

**Chapter 5** of the Plan defines the key elements of the 2014 Transportation Plan and Action Plan. This includes an updated description of the Transportation Plan elements and the actions defined by the Action Plan Update to maintain the MTSOs for the Routes of Regional Significance. The actions include “regionally significant actions,” designed to improve conditions throughout the Tri-Valley, and actions specifically designed to address needs on individual Routes of Regional Significance. For each action, the agency or agencies responsible for implementing the action is identified.

The financial plan for meeting the needs of the Transportation Plan and Action Plan is presented in **Chapter 6**. This includes a brief description of the existing funding sources that support the transportation plan elements and the Sub-regional Traffic Impact Fee Program designed to implement, “regionally significant projects,” in the Action Plan. This chapter also provides a description of an agreement for cost sharing of transportation improvements that are necessary to mitigate the impact of development in more than one jurisdiction.

**Chapter 7** provides guidance on implementation of the Transportation Plan and Action Plan. The chapter includes a description of the process for Plan adoption and amendment. It defines a process and schedule for monitoring and reporting the MTSOs. The

chapter defines the agreed-upon procedures for review of developments and general plan amendments. The chapter provides a method for conflict resolution and identifies the future role of the TVTC in monitoring, implementing, and updating the Transportation Plan and Action Plan.



## 2 FRAMEWORK FOR THE TRANSPORTATION PLAN AND ACTION PLAN

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### 2.1 Statements of Vision, Goals and Policies

The 2014 Transportation Plan and Action Plan vision, goals, and policies are as follows:

1. Integrate transportation planning with planning for air quality, community character, and other environmental factors.
2. Support corridor management programs to make the most efficient, effective, and safe use of existing facilities and services.
3. Support incident management programs to maintain mobility when accidents or breakdowns occur on major transportation facilities.
4. Consider both the need for vehicular mobility and congestion reduction, and such livability concepts as walkability, bicycle access, and community character.
5. Maintain and actively pursue enhanced and expanded public transit service, ridesharing, and non-motorized mode options and trip reduction programs in order to increase accessibility, to increase the transit share of travel in the Tri-Valley, and to increase average vehicle occupancy.
6. Provide support for Priority Development Areas.
7. Manage school-related traffic to enhance safety and reduce peak period traffic impacts.
8. Classify the Routes of Regional Significance as either interregional or intraregional in order to recognize the different trip types served on each Route. Interregional Routes provide linkages between the Tri-Valley and other sub-areas and include I-680, I-580, SR-84, Vasco Road, and Crow Canyon Road. Intraregional Routes connect communities within the Tri-Valley and include all other Routes of Regional Significance.
9. Maintain established MTSOs on Routes of Regional Significance.
10. Maintain established capacity constraints to limit interregional traffic at Tri-Valley gateways on I-580, I-680, Crow Canyon Road, and Vasco Road.
11. Encourage through-trips and interregional travel to stay on Interregional Routes and discourage diversion of these trips to intraregional routes as a mechanism for ensuring intraregional mobility.
12. Recommendations from the SR 239 Study should adhere to the TVTC Gateway Constraint Policy.



13. Support arterial traffic management strategies that address hotspots at critical intersections and approaches.
14. Respect past regional commitments in the prioritization of funding of projects.
15. Work cooperatively with regional transportation partners to maximize funding opportunities.
16. Maintain transportation funding for transportation projects.

## **2.2 Routes of Regional Significance**

All freeways and many major arterials are designated as Routes of Regional Significance, but it is up to the individual RTPC to establish these routes for incorporation into the Authority's Countywide Plan. The CCTA's Implementation Guide provides the following criteria for identifying Routes of Regional Significance<sup>1</sup>:

1. Connect two or more subareas;
2. Cross county boundaries;
3. Carry a significant amount of through traffic; or
4. Provide access to a regional highway or transit facility (e.g. a rail station, a multimodal public transit facility, a bus transfer center, or a freeway interchange).

Transportation facilities that meet one or more of these criteria may be designated as Regional Routes.

Three state highways provide access to and from the Tri-Valley. These highways include Interstate 680, Interstate 580, and State Route 84. In addition, a number of arterial roadways facilitate travel within the Tri-Valley, connecting individual cities as well as carrying local traffic. The Iron Horse Trail is also important to regional pedestrian and bicycle mobility and requires interjurisdictional planning. The three state highways, along with numerous arterials and the Iron Horse Trail together make up what are known as Routes of Regional Significance, as shown in Tables 1 and 2 and in Figure 1. These routes have been further classified as either interregional or intraregional in order to recognize the different trip types served on each route. Interregional routes provide linkages be-

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<sup>1</sup> Contra Costa Transportation Authority, Implementation Guide, December 1990, p. IG-10.

tween the Tri-Valley and other sub-areas and include I-580, I-680, SR-84, Vasco Road and Crow Canyon Road. Intraregional routes connect communities within the Tri-Valley and include all other Routes of Regional Significance. It should be noted that designation as a Route of Regional Significance does not imply any intended change in use of the route.

**Table 1: Interregional Routes of Regional Significance**

*Interregional Route*

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I-580  
 I-680  
 State Route 84  
 Vasco Road  
 Crow Canyon Road

**Table 2: Intraregional Routes of Regional Significance**

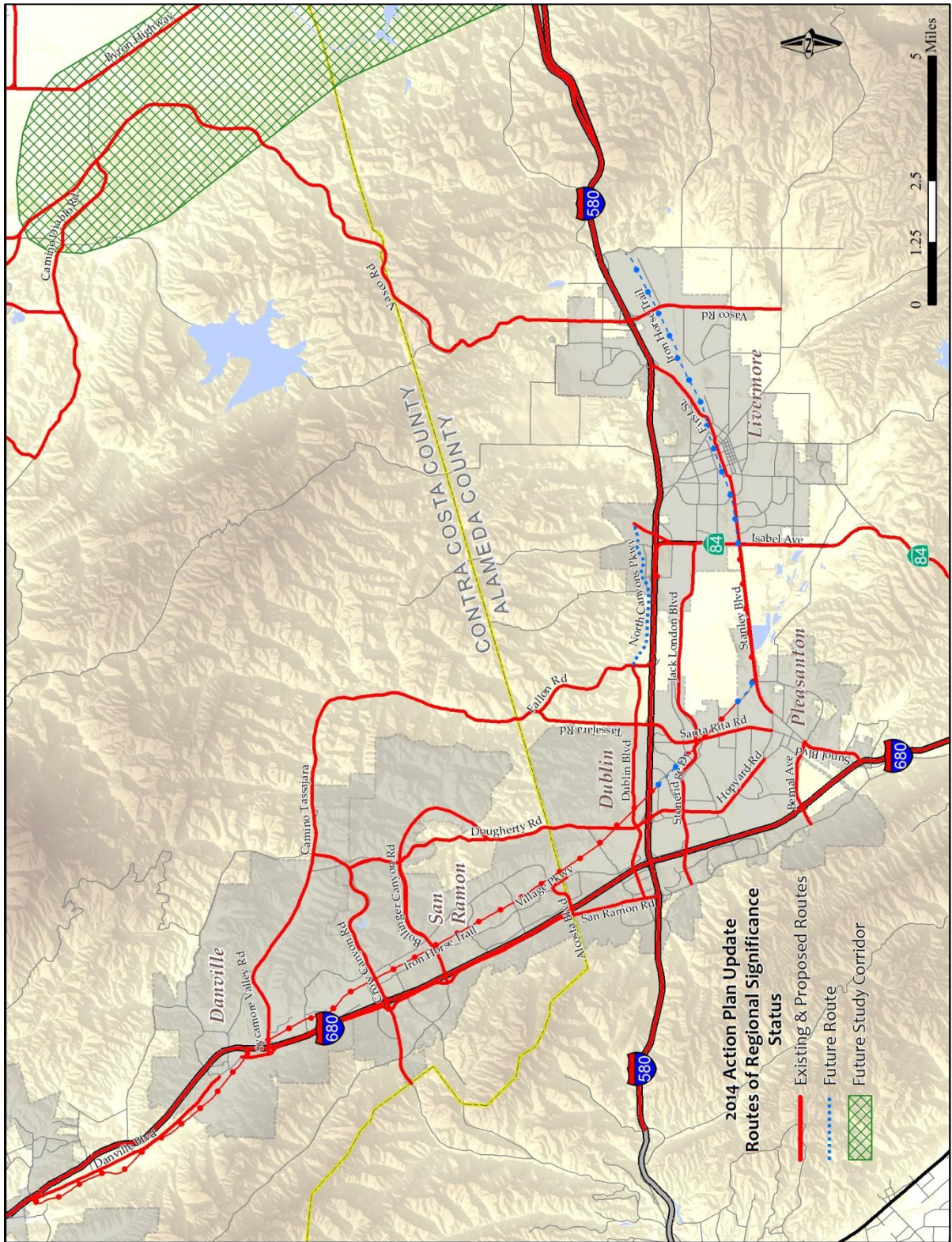
*Intraregional Routes*

---

Alcosta Boulevard	Jack London Boulevard
Bernal Avenue	San Ramon Road
Bollinger Canyon Road	San Ramon Valley Boulevard
Camino Tassajara	Santa Rita Road
Danville Boulevard	Stanley Boulevard
Dougherty Road	Stoneridge Drive
Dublin Boulevard	Sunol Boulevard
Fallon Road	Sycamore Valley Road
First Street/Railroad Avenue	Tassajara Road
Hopyard Road	Vasco Road
Iron Horse Trail	



Figure 1: Tri-Valley Routes of Regional Significance



## 2.3 Multimodal Transportation Service Objectives

Multimodal Transportation Service Objectives (MTSOs) provide a mechanism for the jurisdictions within the Tri-Valley to define the quality of service that is desired on Routes of Regional Significance. The following MTSOs are defined for Tri-Valley Routes of Regional Significance:

**Peak Hour Travel Speed.** This measure, applied only to I-580 and I-680, sets a minimum average peak hour speed for the AM and PM peak hours. The target minimum speed is 30 miles per hour.

**Delay Index.** The Delay Index (DI) compares the time required to travel between two points during the peak hour to the time required during non-congested, off-peak hours. This measure is defined as the observed travel time divided by the free-flow travel time:

$$\text{Delay Index (DI)} = (\text{Observed Travel Time}) \div (\text{Free-Flow Travel Time})$$

The target minimum value for the Delay Index for I-580 and I-680 is 2.0. A DI of 2.0 indicates that a trip through the segment takes twice as long during peak hours as during the off-peak, due to congestion and slow speed. The proposed target minimum value for SR-84 is 3.0.

**Duration of Congestion.** This MTSO is expressed in terms of hours of congestion per day. Hours of congestion can be measured with traffic counts or speed runs and should apply to mixed-flow lanes only. A target value has been set only for I-680 south of SR-84 because of the high commute volume and level of congestion on that portion of I-680. A target value of no more than five (5.0) hours of congestion per day has been set.



**Intersection Levels of Service.** Level of service is a measure of the amount of delay that results from volume on a particular facility. For intersections, the delay is a function of the volume of all of the through movements and turning movements at the intersection as well as the number of lanes serving each movement and traffic signal timing. For the purpose of this MTSO, the level of service is defined by an assessment of control delay and volume-to-capacity ratio for the intersection and is calculated using the 2010 *Highway Capacity Manual* operational method for AM and PM peak hours based on turning-movement counts. The target for this MTSO is to maintain an intersection level of service “E” or better. In local juris-



dictions where LOS standards for downtown areas have been established for Routes of Regional Significance, the LOS in the adopted General Plan shall govern.

Previous Action Plans used a link level of service measure as the MTSO for SR-84 but this has been changed to a combination of the Delay Index and the intersection level of service.

Previous versions of the Transportation Plan and Action Plan also identified goals for reducing reliance on the automobile. These goals provide input for the planning process but are not used in the evaluation of performance on the Routes of Regional Significance.

**Transit Ridership.** Public transit agencies routinely collect ridership data for their system on a daily, monthly, and annual basis. Most transit agencies now have Automatic Passenger Counters, which, along with farebox data provide an extremely accurate account of all boardings and alightings on a granular level. With this new technology, public transit usage can be attributed to specific routes, bus stops, and times of day. No specific goal for transit ridership has been specified.

**Average Vehicle Ridership (AVR).** This measure is the ratio of total person commute trips to vehicles used for commuting on I-580 and I-680. The Tri-Valley Transportation Plan/Action Plan includes a regional action to increase AVR by 10% from 1.1 to 1.2. Several Tri-Valley jurisdictions maintain voluntary employer trip reduction programs to increase AVR.

MTSOs have also been formulated for the Iron Horse Trail, which is designated a Route of Regional Significance. These MTSOs will be monitored in subsequent updates of the Plan. The following MTSOs are defined for the Iron Horse Trail:

**Pedestrian and Bicycle Volumes** – A measure of the use of the facility and potential overcrowding or conflict.

**Auto Volumes at Crossings** – A measure of the difficulty crossing roadways along the trail.

**Average Trail User Delay at Major Road Crossings** – A measure of the delay to trail users caused by at-grade crossings of the trail.

**Frequency of Pedestrian or Bicyclist Injury** – A measure of the relative safety of the trail for its pedestrian and bicycling users.

**Pavement Condition** - A measure of the relative comfort of the trail for its users.

# Item 6.1

# TRI-VALLEY TRANSPORTATION COUNCIL

**Steven Spedowski**  
**TVTC Chair**  
**Vice Mayor**  
Livermore  
(925) 960-4016

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** July 17, 2017

**Arne Olson**  
**TVTC Vice-Chair**  
**Councilmember**  
Pleasanton  
(925) 200-8579

**Subject:** Request to Appropriate Tri-Valley Transportation Development Fee Funds for the funding of the Advanced Technology element of the Express Bus/BRT Phase 2 (Project A-11) of the 2017 TVTC Strategic Expenditure Plan

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**Scott Perkins**  
**Councilmember**  
San Ramon  
(925) 973-2530

## BACKGROUND

**Don Biddle**  
**Vice Mayor**  
Dublin  
(925) 833-6650

The Tri-Valley Transportation Council (TVTC) adopted the Tri-Valley Transportation Plan/Action Plan (TVTP/AP) for Routes of Regional Significance in 1995. The TVTP/AP was later updated in 2000, 2009, and 2014. The Plan is a mutual understanding and agreement on Tri-Valley transportation concerns and recommendations for improvements. The Plan also identifies specific regional transportation improvements for funding and implementation.

**Karen Stepper**  
**Councilmember**  
Danville  
(925) 275-2412

In 1998, through a Joint Exercise Powers Agreement (JEPA), the seven member agencies that comprise the TVTC approved the Tri-Valley Transportation Development Fee (TVTDF) program. The TVTDF is intended to allocate fair share costs for the regional improvement projects identified in the TVTP/AP.

**Scott Haggerty**  
**Supervisor District 1**  
Alameda County  
(510) 272-6691

In 1999, the TVTC adopted a Strategic Expenditure Plan (SEP) which identified priorities, project sponsors, and funding for TVTDF projects. The TVTC updated the SEP in 2004, 2011, and 2017. The SEP originally established a funding plan for 11 regional transportation projects (List A). The TVTC then expanded this list to add 11 new projects (List B).

**Candace Andersen**  
**Supervisor District 2**  
Contra Costa County  
(925) 957-8860

In 2008, the TVTC adopted a TVTC Fee Nexus Study (Nexus Study). The TVTC completed a Validation Review of the Nexus Study in 2017. The Nexus Study summarizes the status of the 22 projects, estimates revenues from the TVTDF over a 10-year horizon, and provides a funding plan for the remaining projects (Attachment B). One of these improvement projects is the Express Bus/BRT-Phase 2 (Project A-11 of the 2017 SEP Update, Attachment C).

## DISCUSSION

The Express Bus/BRT Phase 2 project A-11 identified in the SEP is multi-faceted and includes the following five elements:

# TRI-VALLEY TRANSPORTATION COUNCIL

1. **Advanced Technology** – Design and installation of advanced technologies and road features allowing rapid transit to operate quickly and efficiently, and help to mitigate delay in dwell times, boardings, and travel times. Some of the advanced technologies include: transit signal priority, enhanced stations, queue jumps, environmentally friendly coaches and advanced onboard technology, advanced fare collection systems, level boarding, dedicated travel lanes, and better integrated park and ride facilities and transit centers.
2. **North/South Express Bus/Rapid Service** – In keeping with the Alameda Countywide Transit Plan, and in order to provide a strong foundation for LAVTA's System, I-680 service expansion, North/South Express Bus/BRT service, and other Express/Rapid service options, will be explored and considered.
3. **Dublin Extension** – Continued study and planning will be done on how best to integrate the planned extension of Dublin Boulevard and the planned Livermore BART Extension into LAVTA's Express Bus/BRT service.
4. **Pleasanton Alignment** – Complete "Rapidization," of the Livermore to Pleasanton alignment will be evaluated, with advanced technology and improved service elements planned for the south side of I-580, and possible connection to the existing Rapid service.
5. **Park and Ride Lots** – In working with local cities and Alameda County, LAVTA will consider improved park and ride elements to support bus, biking, and walking access in the Tri-Valley, and to improve the accessibility of transportation alternatives that would ease congestion on I-580. These options might include: construction of new lots, smart signage, improved bicycle storage, increased pedestrian accessibility and safety, enhanced multi-modal elements on coaches, and increased or revised bus service to rail stations and regional transit connections.

Portions of the Project A-11 have already been implemented:

- 1) **Pleasanton Alignment:** In August 2016, the original Rapid BRT was realigned to connect Livermore, Dublin, Las Positas College and BART (Route 30R), and a new Rapid BRT (Route 10R) began operating between Livermore and Pleasanton via Santa Rita to BART. Attachment D is a map showing the new 10R and 30R route alignments.
- 2) **Advanced Technology:** Several station/stop upgrades have already occurred at Las Positas College, and are scheduled to occur along North Canyons Parkway in summer 2017 and along the Santa Rita corridor in 2018. Shelter upgrade projects have been funded through a mix of funds including TDA, FTA, and ACTC discretionary Measure B/BB funds.

Additionally, LAVTA completed a Wi-Fi retrofit for buses operating on both Rapid lines in 2016. A total of 28 buses now have Wi-Fi.

Funding for additional Transit Signal Priority (TSP) elements of the project was secured in 2014 through a Metropolitan Transportation Commission (MTC) Transit Performance Initiative (TPI) grant, a mix of state and federal dollars. TSP allow the bus to receive a "Priority" when approaching a traffic signal through extension of green time thus allowing a bus to go through the intersection without stopping.

# TRI-VALLEY TRANSPORTATION COUNCIL

LAVTA is seeking funds to upgrade the TSP on all the Rapid buses and along the Rapid alignments. As a part of the 2011 Rapid plan and deployment, TSP was introduced into the Wheels bus network along the original Rapid corridor in Livermore, Pleasanton, and Dublin. The TSP technology implemented as a part of the Rapid deployment utilized infrared (IR) optical technology, which interfaced with the Emergency Vehicle Priority (EVP) sensors/emitters utilized by the Tri-Valley cities for emergency vehicles. The TSP implemented for the Rapid deployment allowed buses to extend green lights or shorten red lights when approaching the signals. Reports from the TSP software indicate that the system appears to be working as calls are made and granted; however, no reports are available to indicate whether the bus actually makes it through the intersection when extended greens or shortened reds are granted. Accordingly, it is hard to determine what impact TSP has on the overall travel time of the buses.

Since the Rapid project was implemented in 2011, the TSP technology commercially available has improved both with accuracy of bus-to-intersection controller signals, but also reports. The newest TSP products are embedded with GPS-technology that offers improved functionality; additionally, the newest models have improved software that only turns the GPS “on” when the buses run late, but keep the TSP “off” when the buses are on-time or bunching. The new technology is installed in parallel to the optical IR technology utilized for EVP. The newest technology greatly improves the accuracy TSP calls, can more accurately measure the travel time improvement of the buses, and provides more accurate queue jump signals. Transit properties that have implemented the GPS-based technology typically see an improvement in operations immediately. Both San Francisco Muni and AC Transit have recently upgraded their TSP systems.

Staff is proposing to upgrade the entire TSP network on the Rapid bus lines to a GPS-based system, and to expand the TSP to a few new intersections in Pleasanton and Livermore. This will help ensure that the buses are operating as quickly as possible, making transit a convenient and attractive mode of transportation. A map of locations for upgraded and expanded TSP is included as Attachment E.

As the City of Dublin is the project sponsor, a Memorandum of Understanding (MOU) detailing how the TVTC funds will be requested and passed through to LAVTA in order to execute this project has been drafted and is currently being reviewed by respective agency legal counsel. The MOU is planned to go before the Dublin City Council and LAVTA Board in August/September 2017 for execution. The draft MOU is included as Attachment F.

There are sufficient funds to cover the Advanced Technology, Express Bus/BRT Phase 2 Project and the remainder of the 2017-2018 TVTC operating budget (Attachments G and H). This is the final allocation for the Express Bus/BRT Phase 2 Project.

## **RECOMMENDATION that the Tri-Valley Transportation Council take the following actions:**

- 1) Authorize an appropriation from the Tri-Valley Transportation Development Fee Account for the Express Bus/BRT Phase 2 TSP Upgrade (Project A-11) of \$1,140,000, as programmed in the TVTC Strategic Expenditure Plan for fiscal years 2017/18 and 16/17, subject to the City of Dublin and LAVTA’s approval and execution of a Memorandum of Understanding outlining how the funds will flow from TVTC through the City of Dublin to LAVTA; and*

# TRI-VALLEY TRANSPORTATION COUNCIL

- 2) *Upon confirmation of Dublin and LAVTA's approval and execution of the MOU, authorize the TVTC Treasurer to transmit \$1,140,000 in TVTDF funds to the City of Dublin, who, in turn, will pass the funds through to the Livermore Amador Valley Transit Authority, the party responsible for the management of the Express Bus/BRT Phase 2 TSP Upgrade (Project A-11), and*
- 3) *Authorize any related action to further the intent of Resolution 2017-07.*

## ATTACHMENTS

- A. TVTC Resolution No. 2017-07
- B. 2017 TVTDF Funding Plan
- C. Express Bus/BRT Phase 2 Project A-11
- D. Rapid Route Map August 2016
- E. Map of Existing TSP Locations
- F. Draft MOU Between Dublin and LAVTA
- G. TVTDF Financial Statements
- H. TVTC Approved FY2017/18 Budget



**TRI-VALLEY TRANSPORTATION COUNCIL  
RESOLUTION NO. 2017-07**

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL  
APPROPRIATING \$1,140,000 IN TRI-VALLEY TRANSPORTATION  
DEVELOPMENT FEE (TVTDF) FUNDS FOR THE PURPOSES OF FUNDING  
ADVANCED TECHNOLOGY EXPRESS BUS/BRT PHASE 2**

**WHEREAS**, in 1995, the Tri-Valley Transportation Council (TVTC) adopted the "Tri-Valley Transportation Plan/Action Plan (TVTP/AP) for Routes of Regional Significance; and

**WHEREAS**, the TVTP/AP identified 11 specific transportation improvements to be given high priority for funding; and

**WHEREAS**, in 1998, the TVTC, and entered into a Joint Exercise Powers of Agreement (JEPA) to provide authority to collect a Tri-Valley Transportation Development Fee (TVTDF) to collect impact fees for the traffic mitigation to be applied to the 11 high priority projects; and

**WHEREAS**, in 1999, the TVTC prepared and approved a Strategic Expenditure Plan (SEP), which guides the expenditure of revenue collected from TVTDF; and

**WHEREAS**, the SEP identifies priorities, project sponsors, and funding for TVTDF projects; and

**WHEREAS**, in 2004, the TVTC adopted an update to the SEP that reflected an update to the regional and sub-regional transportation outlook for the Tri-Valley; and

**WHEREAS**, in 2011, the TVTC prepared and approved the 2011 TVTDF Funding Plan that provides guidance for expenditure of the TVTDF on 22 projects (List A and List B) including Express Bus/BRT Phase 2 (Project A-11); and

**WHEREAS**, in 2017, the TVTC prepared and approved an update of the 2011 SEP, and provided a funding plan for the remaining projects; and

**WHEREAS**, the 2017 update of the SEP programmed \$1.00 million in fiscal year 17/18 and \$0.140 million in fiscal year 16/17 for a total of \$1.140 million to Express Bus/BRT Phase 2 (Project A-11); and

**WHEREAS**, the City of Dublin ("Dublin") a signatory agency to the 1991 Joint Powers Agreement governing the TVTC and is the TVTC-member sponsor Agency for the purposes of administering the appropriation of TVTD Fees to the Express Bus/BRT Phase 2 Project; and

**WHEREAS**, the Livermore Amador Valley Transit Authority (“LAVTA”) is the Lead Agency for the implementation of Express Bus/BRT Phase 2 Project; and

**WHEREAS**, Dublin and LAVTA will enter into a Memorandum of Understanding (2017 MOU), which outlines how the funds will flow from TVTC through the City of Dublin to LAVTA, who will be managing the Express Bus/BRT Phase 2 Project; and

**WHEREAS**, sufficient revenue in the Joint TVTDF Fee Account is available for the FY 17/18 drawdown of \$1,140,000 for the Express Bus/BRT Phase 2 Project.

**NOW THEREFORE BE IT RESOLVED THAT** the Tri-Valley Transportation Council adopts:

1. The Tri-Valley Transportation Council authorizes an appropriation from the Tri-Valley Transportation Development Fee Account for the Express Bus/BRT Phase 2 TSP Upgrade (Project No. A-11) of \$1,140,000, as programmed in the Strategic Expenditure Plan for fiscal years 2017/18 and 16/17, subject to Dublin and LAVTA’s approval and execution of the 2017 MOU. Funds are to be dispersed in accordance with the TVTC Strategic Expenditure Plan.
2. Upon confirmation of Dublin and LAVTA’s approval and execution of the 2017 MOU, the Tri-Valley Transportation Council authorizes the TVTC Treasurer to transmit \$1,140,000 in funds in the Tri-Valley Transportation Development Fee Account to the City of Dublin, which will, in turn, pass the funds through to the Livermore Amador Valley Transit Authority, the party responsible for the management and construction of the Express Bus/BRT Phase 2 Project.
3. The Tri-Valley Transportation Council authorizes any related action to further the intent of this Resolution.

**PASSED, APPROVED, AND ADOPTED** at the meeting of July 17, 2017 by the following votes:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Steven Spedowski, Chair  
Tri-Valley Transportation Council

**ATTEST:**

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Debbie Bell, TVTC Administrative Staff

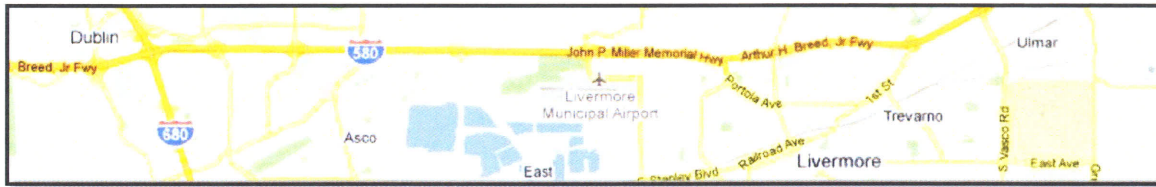
Table 5 - 2017 TVTDF Funding Plan

PROJECTS	TVTC SPONSOR/ LEAD AGENCY	Previous Disbursements											Projected Disbursement (Assumes Fund Balance June 30, 2016 = \$2.29 M)											
		Pre 10/11	Funding amount identified in 2011 SEP Update	10/11	11/12	12/13	13/14	14/15	15/16	Total Disbursement Made btw FY10/11 & FY15/16	Remaining funding that need to be Distributed	DRAFT new SEP funds for Distributions	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	TOTAL	
	Refund Local Account	\$ 2.02								\$ -														
	Administrative Costs	\$ 0.57	\$ 0.58							\$ -														
List A	A-1 I-580/I-680 Interchange (southbound to eastbound) <sup>1</sup>	Alameda County/Caltrans	\$5.65	\$ -						\$ -	\$ -													
	A-2a SR 84 Expressway (I-580 to I-680)	Livermore & Pleasanton/Alameda CTC	\$11.06	\$ 22.94				\$ 7.94	\$ 5.00	\$ 12.94	\$ 10.00	\$ 2.00												
	A-2b SR 84/I-580 Interchange	Livermore/Caltrans & Livermore		\$ 5.15						\$ -	\$ 5.15													
	A-3 I-680 Auxiliary Lanes (Segment 2) <sup>1</sup>	Danville/CCTA	\$12.00	\$ 5.88					\$ 5.88	\$ 5.88	\$ -													
	A-4 West Dublin/Pleasanton BART Station <sup>1</sup>	Dublin & Pleasanton/BART	\$4.00							\$ -	\$ -													
	A-5a I-580 Eastbound Auxiliary Lane <sup>1</sup>	Pleasanton/Alameda CTC	\$6.90	\$ 1.10	\$ 1.10					\$ 1.10	\$ -													
	A-5b I-580 HOV Lane Westbound <sup>1</sup>	Pleasanton/Alameda CTC		\$ -						\$ -	\$ -													
	A-6 I-680 HOV Lanes, SR 84 to Top of Sunol Grade <sup>1</sup>	Pleasanton/Caltrans & Alameda CTC		\$ -						\$ -	\$ -													
	A-7 I-580/Foothill Road/San Ramon Road Interchange Modifications <sup>1</sup>	Pleasanton/Caltrans	\$1.60	\$ -						\$ -	\$ -													
	A-8 I-680 Alcosta Boulevard Interchange <sup>1</sup>	San Ramon/Caltrans	\$1.60	\$ 0.75						\$ -	\$ -													
	A-9a Crow Canyon Road Improvements Phase 1	Alameda County		\$ 1.55						\$ -	\$ 1.55													
	A-9b Crow Canyon Road Improvements Phase 2	Alameda County		\$ 1.69						\$ -	\$ 1.69													
	A-10a Vasco Road Safety Improvements Phase 1	Alameda County		\$ 3.32						\$ -	\$ 3.32													
	A-10b Vasco Road Safety Improvements Phase 2	Alameda County		\$ 2.58						\$ -	\$ 2.58													
	A-11 Express Bus/Bus Rapid Transit (BRT) - Phase 2	Dublin/LAVTA		\$ 0.14						\$ -	\$ 0.14	\$ 1.00												
		Sub-Total A	\$ 42.81	\$ 45.10	\$ 1.10	\$ -	\$ -	\$ 7.94	\$ 5.00	\$ 5.88	\$ 19.92	\$ 24.43	\$ 3.00	\$ 0.14	\$ 7.00	\$ 7.00	\$ 2.46	\$ 1.41	\$ 2.58	\$ 1.69	\$ 2.00	\$ 1.50	\$ 1.65	\$ 27.43
List B	B-1 I-580/I-680 Interchange (westbound to southbound)	Dublin/Alameda CTC		\$ -						\$ -	\$ -	\$ 1.00												
	B-2 Fifth Eastbound Lane on I-580 from Santa Rita Road to Vasco Road	Pleasanton & Livermore		\$ -						\$ -	\$ -													
	B-3 I-580/First Street Interchange Modification	Livermore/Caltrans		\$ -						\$ -	\$ -													
	B-4 I-580/Vasco Road Interchange Modification	Livermore/Caltrans		\$ 4.80						\$ -	\$ 4.80	\$ 2.00												
	B-5 I-580/Greenville Road Interchange Modification	Livermore/Caltrans		\$ -						\$ -	\$ -													
	B-6 Jack London Boulevard Extension	Livermore		\$ -						\$ -	\$ -													
	B-7 El Charro Road Extension (Stoneridge Drive/Jack London Boulevard to Stanley Boulevard)	Pleasanton		\$ -						\$ -	\$ -													
	B-8 Camino Tassajara/Tassajara Road Widening Project (East of Blackhawk Drive to North Dublin Ranch Drive) (Safety Improvement Project) <sup>2</sup>	Contra Costa County & Dublin		\$ 1.70						\$ -	\$ 1.70	\$ 2.00			\$ 3.70									
	B-8 Camino Tassajara/Tassajara Road Widening Project (East of Blackhawk Drive to North Dublin Ranch Drive) (Roadway Widening Project) <sup>3</sup>	Contra Costa County & Dublin		\$ 2.68						\$ -	\$ 2.68				\$ 2.68									
	B-10 I-680 Southbound HOV Lane Gap Closure (North Main Street to Rudgear Road)	San Ramon/CCTA		\$ 5.49						\$ -	\$ 5.49	\$ 1.00												
	B-11a I-680 HOV Direct Access Ramps <sup>4</sup>	San Ramon/CCTA		\$ -						\$ -	\$ -													
	B-11b I-680 Transit Corridor Improvements	San Ramon/CCTA		\$ -						\$ -	\$ -	\$ 2.00												
	Sub-Total B	\$ -	\$ 14.67	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14.67	\$ 8.00	\$ -	\$ -	\$ 8.38	\$ 1.50	\$ 4.30	\$ -	\$ -	\$ 3.00	\$ 3.49	\$ 2.00	\$ 22.67	
	<b>Total</b>	\$ 45.40	\$ 60.35	\$ 1.10	\$ -	\$ -	\$ 7.94	\$ 5.00	\$ 5.88	\$ 19.92	\$ 39.10	\$ 11.00	\$ 0.14	\$ 7.00	\$ 15.38	\$ 3.96	\$ 5.71	\$ 2.58	\$ 1.69	\$ 5.00	\$ 4.99	\$ 3.65	\$ 50.10	

Note

<sup>1</sup> Project is complete and is not considered for further funding.  
<sup>2</sup> \$1.70 Million to be used in Contra Costa County. \$2.0 Million to be shared by Contra Costa County and City of Dublin for project segment between Windemere Parkway and Moller Ranch (Palisades Drive).  
<sup>3</sup> \$2.68 Millions to be used in Contra Costa County.  
<sup>4</sup> Project has been eliminated from funding plan.

## A-11. EXPRESS BUS/BUS RAPID TRANSIT (BRT) – PHASE 2



## TVTC PROJECT SPONSOR

City of Dublin

## LEAD AGENCY

Livermore Amador Valley Transit Authority (LAVTA)

## OTHER INVOLVED PARTIES

City of Livermore, City of Pleasanton

PROJECT DESCRIPTION *(UPDATED FALL 2015)*

Project A-11 is Phase 2 of the Express Bus/BRT, which consists of two phases. The express bus route associated with Phase 1 of the project has been operating since January 2011.

Phase 2 includes upgrades to and expansion of the initial Rapid Project, as well as some project refinements, updates, and maintenance/replacement of original project elements and equipment based on evaluation of the existing components and conditions at the time of funding. The transit system priorities include the following elements:

- A technologically advanced transit system
- A multi-modal transportation system that supports the local economy
- Prioritized regional transfers and connections
- Reliability and efficiency that maximizes value to taxpayers and the community

Phase 2 will consist of five key potential elements (based upon conditions at time of funding):

1. **Advanced Technology** – Design and installation of advanced technologies and road features allowing rapid transit to operate quickly and efficiently, and help to mitigate delay in dwell times, boardings, and travel times. Some of the advanced technologies and road features that LAVTA is considering for Phase 2 are: transit signal priority, enhanced stations, queue jumps, environmentally friendly coaches and advanced onboard technology, advanced fare collection systems, level boarding, dedicated travel lanes, and better integrated park and ride facilities and transit centers. Element 1 is currently budgeted at \$2 Million.
2. **North/South Express Bus/Rapid Service** – In keeping with the Alameda Countywide Transit Plan, and in order to provide a strong foundation for LAVTA's System, I-680 service expansion, North/South Express Bus/BRT service, and other Express/Rapid service options, will be explored and considered. Element 2 is currently budgeted at \$6.5 Million.
3. **Dublin Extension** – Continued study and planning will be done on how best to integrate the planned extension of Dublin Boulevard and the planned Livermore BART Extension into LAVTA's Express Bus/BRT service. Element 3 is currently budgeted at \$6.5 Million.

4. **Pleasanton Alignment** – Complete “Rapidization,” of the Livermore to Pleasanton alignment will be evaluated, with advanced technology and improved service elements planned for the south side of I-580, and possible connection to the existing Rapid service. Element 4 is currently budgeted at \$1.5 Million.
5. **Park and Ride Lots** – In working with local cities and Alameda County, LAVTA will consider improved park and ride elements to support bus, biking, and walking access in the Tri-Valley, and to improve the accessibility of transportation alternatives that would ease congestion on I-580. These options might include: construction of new lots, smart signage, improved bicycle storage, increased pedestrian accessibility and safety, enhanced multi-modal elements on coaches, and increased or revised bus service to rail stations and regional transit connections. Element 5 is currently budgeted at \$2 Million.

## STATUS

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Phase 1 is fully completed and operational, as of January 2011.

Phase 2 is in the research, design, and planning stage. In August 2016, LAVTA realigned the Express Bus/BRT Route (Route 30R) to serve Las Positas College, and transformed existing Route 10 into an Express Bus/BRT (Route 10R) operating through Pleasanton to BART. The transformation of Route 10 into Route 10R was the first step in implementation of the Phase 2 Pleasanton Alignment. LAVTA intends to implement additional items from Phase 2 (Advanced Technology) to both Routes 10R and 30R in 2017, which includes upgrading the traffic signal priority onboard the buses and at key intersections along both Rapid routes.

## PHASING AND SCHEDULE

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Costs for Phase 2 have been updated to reflect current pricing for the project elements listed above. Phase 2 Scope of work, schedule, and full funding parameters are not known at this time.

## COST ESTIMATE AND FUNDING SOURCES

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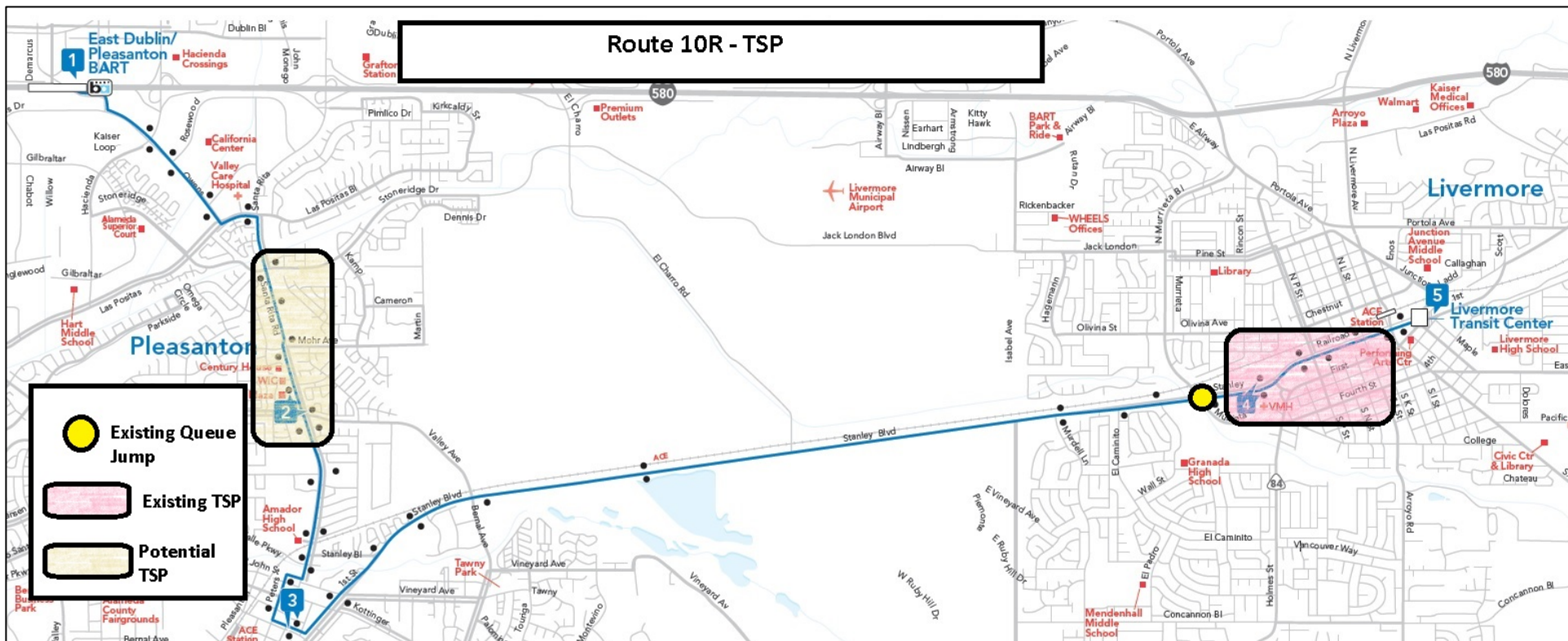
### Phase 2:

<b>Cost (Millions, 2015)</b>	<b>\$18.50</b>
Funding (Millions, 2015)	
TVTDF	\$1.14
<b>Total Funding (Millions, 2015)</b>	<b>\$1.14</b>
<b>Total Funding Shortfall (Millions, 2015)</b>	<b>\$17.36</b>

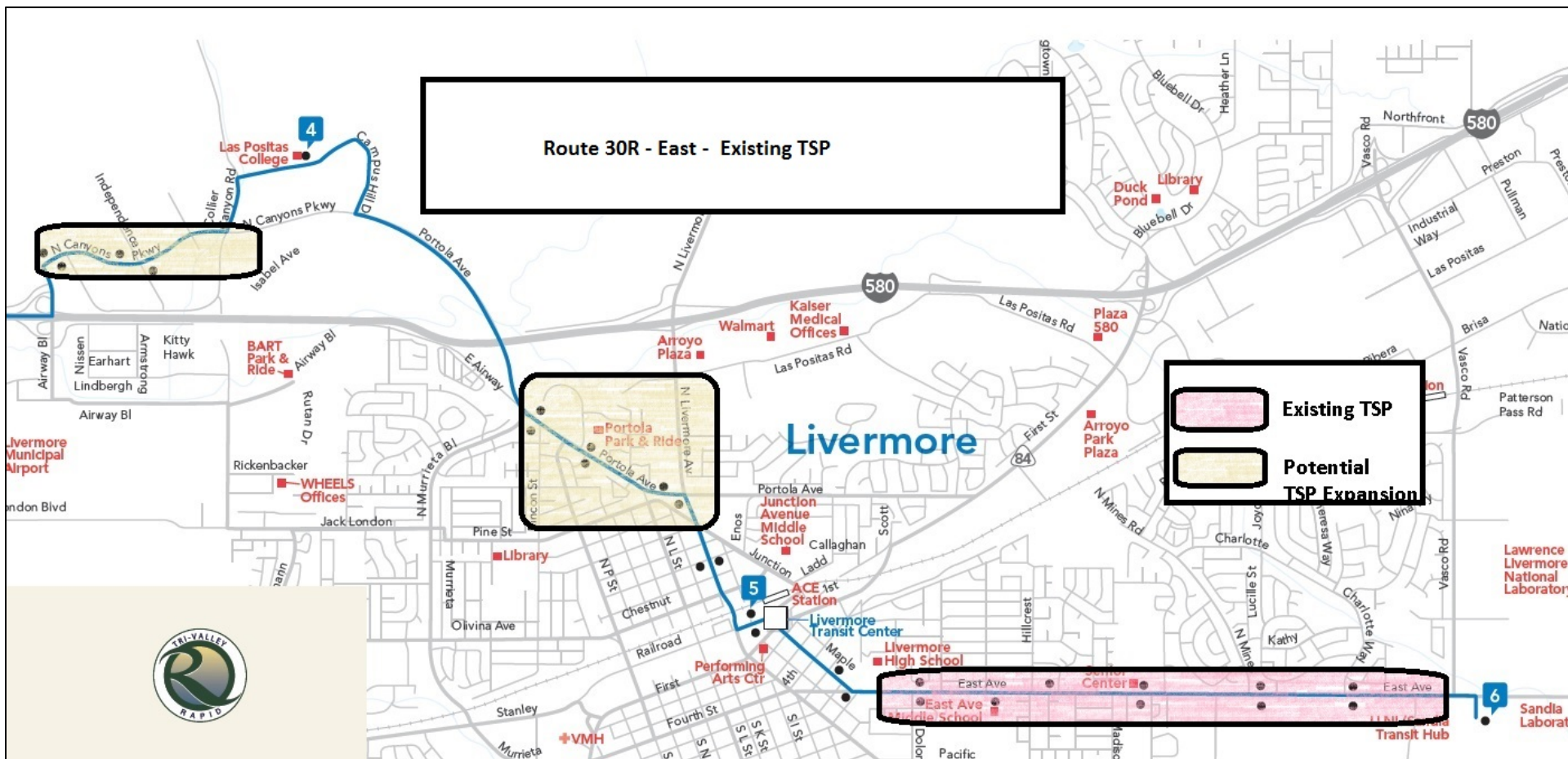


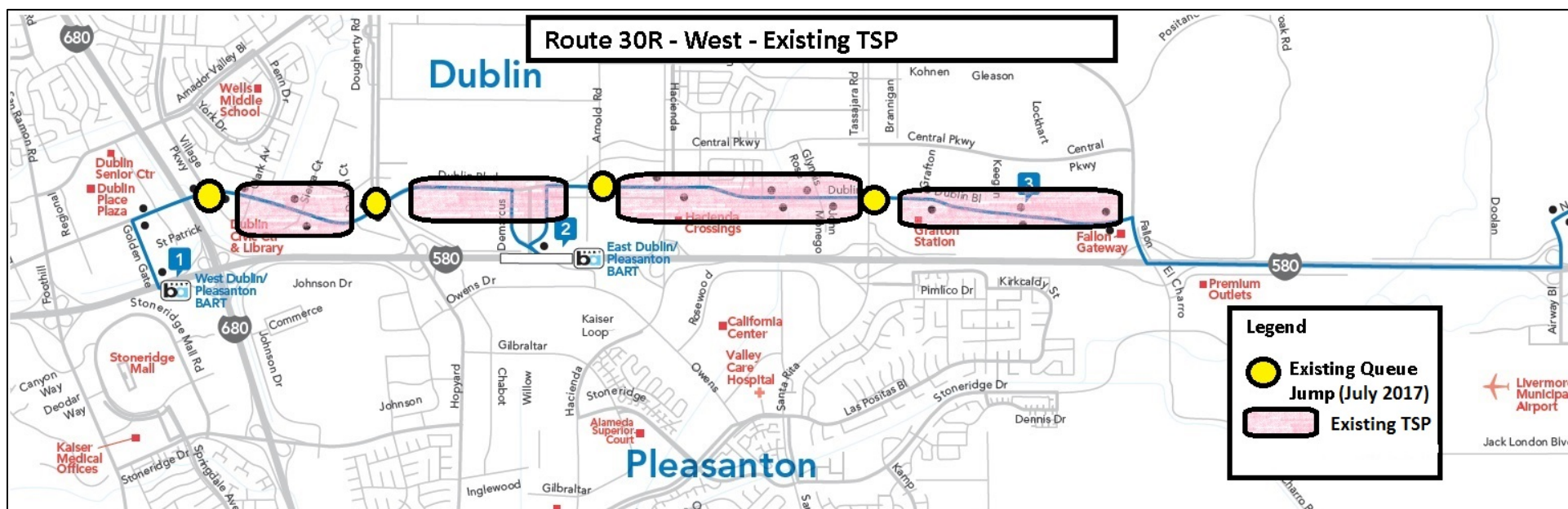


# Map of Existing Transit Signal Priority









**Memorandum of Understanding Number 06.XX.17**  
**between**  
**City of Dublin**  
**and**  
**Livermore Amador Valley Transit Authority**

**Relative to:**  
**Construction of the Express Bus/BRT Phase 2 Project**

This Memorandum of Understanding (MOU) is entered into as of June xx, 2017 between the City of Dublin, a municipal corporation (DUBLIN) and the Livermore Amador Valley Transit Authority, a joint powers authority (LAVTA).

RECITALS

- A. WHEREAS, DUBLIN, as one of the members of the Tri-Valley Transportation Council (“TVTC”) is a signatory to the Joint Exercise of Powers Agreement pertaining to the Tri-Valley Transportation Development Fee (TVTDF) for Traffic Mitigation; and
- B. WHEREAS, DUBLIN has cooperatively participated in the development and adoption of the TVTC Strategic Expenditure Plan (SEP) and the TVTDF Funding Plan, which provide guidance for expenditure of the TVTDF on 22 projects (List A and List B); and
- C. WHEREAS, the Express Bus/BRT Phase 2 Project (“PROJECT”) is one of the “List A” projects in the SEP (project A-11); and
- D. WHEREAS, DUBLIN serves as the TVTC Project Sponsor of the PROJECT identified in the TVTC SEP 2017 Update; and
- E. WHEREAS, LAVTA is the lead agency responsible for management and implementation of PROJECT; and
- F. WHEREAS, the PROJECT is listed in the TVTC SEP 2017 update with \$1.14 million from TVTDF in fiscal years 2016/17 and 2017/18; and
- G. WHEREAS, using TVTDF funds, LAVTA wishes to fund part of the PROJECT construction in accordance with the terms and conditions set forth herein; and
- H. WHEREAS, as a member of the TVTC, DUBLIN intends to ensure that funds set aside for PROJECT in the TVTDF Funding Plan are appropriated as expeditiously as feasible for the PROJECT;

NOW, THEREFORE, in consideration of the promises herein, the parties agree as follows:

SECTION I

DUBLIN AGREES:

- A. To initiate a request from TVTC for the disbursement of TVTDF funds in the amount of \$1.14 million in accordance with the TVTDF funding plan.
- B. To, upon receipt of the funds from TVTC, pass the funds through to LAVTA, the party responsible for the management and construction of PROJECT.

SECTION II

LAVTA AGREES:

- A. To receive TVTC pass-through funds from DUBLIN in the amount of \$1.14 million.
- B. To oversee the construction of PROJECT, in accordance with LAVTA policy.

SECTION III

IT IS MUTUALLY AGREED:

- A. This MOU constitutes the entire agreement between the parties regarding the subject matter hereof and any oral discussions or written or oral agreements with respect thereto preceding the effective date of this MOU are superseded hereby. No amendment, alteration, or variation of the terms of the MOU shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
- B. DUBLIN and LAVTA each render their services under this MOU as independent agencies. None of the agents or employees of either shall be deemed agents or employees of the other.
- C. Any notice given under this MOU shall be in writing and shall be deemed given if delivered personally or mailed by registered or certified mail or commercial overnight courier, return receipt or confirmation of delivery requested, or by facsimile transmission with voice confirmation of receipt, the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

If to DUBLIN:  
Obaid Khan  
XXXXX

If to LAVTA:

Christy Wegener  
1362 Rutan Court, Suite 100  
Livermore, CA 94551  
[cwegener@lavta.org](mailto:cwegener@lavta.org)  
Fax: 925-443-1375

THIS AGREEMENT executed the date and year first above written.

LIVERMORE AMADOR VALLEY  
TRANSPORTATION AUTHORITY

CITY OF DUBLIN

\_\_\_\_\_  
Michael Tree, Executive Director

\_\_\_\_\_  
Chris Foss, City Manager

ATTEST:

\_\_\_\_\_  
Caroline Soto, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Conneran  
Legal Counsel to LAVTA

\_\_\_\_\_  
XXX, City Attorney

**Local Agency Investment Fund**  
**P.O. Box 942809**  
**Sacramento, CA 94209-0001**  
**(916) 653-3001**

[www.treasurer.ca.gov/pmia-laif/laif.asp](http://www.treasurer.ca.gov/pmia-laif/laif.asp)  
 July 06, 2017

PMIA Average Monthly Yields

**Account Number:**

Tran Type Definitions

June 2017 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
6/22/2017	6/20/2017	RD	1539688	DEBRA BELL	4,059,000.00

**Account Summary**

Total Deposit:	Beginning Balance:
Total Withdrawal:	Ending Balance:



# Mechanics Bank®

P.O. Box 5610  
Hercules, CA 94547-5610

June 2017

Reporting Activity 06/01 - 06/30

Page 1 of 4

RETURN SERVICE REQUESTED

>031496 2054645 0002 092387 10Z 023

TRI-VALLEY  
TRANSPORTATION COUNCIL  
DEBRA BELL / CITY OF LIVERMORE  
1052 S LIVERMORE AVE  
LIVERMORE CA 94550-4813

## Managing Your Accounts

-  24-Hour Tele Banking 888.400.6324
-  Client Services 800.797.6324
-  Online [www.mechanicsbank.com](http://www.mechanicsbank.com)
-  Mobile Download Our Mobile Apps



## Summary of Accounts

Account Type	Account Number	Beginning Balance	Ending Balance
ANALYZED PUBLIC	XXXXXXXXX5586	\$5,448,769.00	\$1,386,941.50

## ANALYZED PUBLIC - XXXXXXXXX5586

### Account Summary

Date	Description	Amount
06/01/2017	Beginning Balance	\$5,448,769.00
	9 Debit(s) This Period	\$4,061,827.50
	0 Credit(s) This Period	\$0.00
06/30/2017	Ending Balance	\$1,386,941.50

### Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount	Check Nbr	Date	Amount
2107	06/01/2017	\$100.00	2123*	06/05/2017	\$100.00	2128	06/16/2017	\$1,182.50
2108	06/05/2017	\$100.00	2126*	06/16/2017	\$1,000.00	2129	06/21/2017	\$125.00
2118*	06/01/2017	\$100.00	2127	06/14/2017	\$120.00			

\* Indicates skipped check number

### Other Debits









Date	Description	Amount
06/22/2017	WIRE TO LOCAL AGENCY INVESTMENT FUND REF: TRI-VALLEY TRANSPORTATION COUNCIL. LAI	-\$4,059,000.00

### Daily Balances

Date	Amount	Date	Amount	Date	Amount
06/01/2017	\$5,448,569.00	06/14/2017	\$5,448,249.00	06/21/2017	\$5,445,941.50
06/05/2017	\$5,448,369.00	06/16/2017	\$5,446,066.50	06/22/2017	\$1,386,941.50



## FY2017-18 Tri-Valley Transportation Council Operating Budget

REVENUES	FY 2016-17 Budget	FY 2016-17 Expended	FY 2016-17 Remaining	FY 2016-17 %Remaining	FY 2017-18 Budget	2016-17 vs 2017-18
Projected Administrative Fees	\$56,900				\$58,621	\$1,721
<b>Total Revenues</b>	<b>\$56,900</b>				<b>\$58,621</b>	<b>\$1,721</b>
<b>EXPENSES (Notes)</b>						
Operating Exenditures (a)	\$20,000	(\$20,000)	\$0	0.00%	\$20,000	\$0
Accounting Services (b)	\$5,000	(\$2,730)	\$2,270	 45.40%	\$5,000	\$0
Audit Services (c)	\$7,000	(\$7,000)	\$0	0.00%	\$4,000	(\$3,000)
Legal Services (d)	\$12,600	(\$5,938)	\$6,662	 52.87%	\$14,000	\$1,400
Treasurer Oversight (San Ramon) (e)	\$1,200	(\$1,200)	\$0	0.00%	\$1,200	\$0
Insurance (f)	\$5,000	(\$2,951)	\$2,049	 40.97%	\$5,500	\$500
Basecamp (San Ramon) (g)	\$300	\$0	\$300	 100.00%	\$300	\$0
Banking/Service Charges (h)	\$500	\$0	\$500	 100.00%	\$500	\$0
Website Annual Maintenance (i)	\$2,000	(\$1,049)	\$951	 47.55%	\$2,000	\$0
Board Member Stipends	\$2,900	(\$2,200)	\$700	 24.14%	\$3,000	\$100
<b>Expenses Subtotal</b>	<b>\$56,500</b>	<b>(\$43,068)</b>	<b>\$13,432</b>	 23.77%	<b>\$55,500</b>	<b>(\$1,000)</b>
<b>MISCELLANEOUS EXPENSES</b>						
<b>Miscellaneous Subtotal</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$0</b>	<b>\$0</b>
<b>GRAND TOTAL EXPENSES</b>	<b>\$56,500</b>	<b>(\$43,068)</b>	<b>\$13,432</b>		<b>\$55,500</b>	<b>(\$1,000)</b>

Notes:

- (a) TVTC Administration/Livermore staff
- (b) Franklin Management
- (c) Annual Audit/Cropper Accountancy
- (d) General Counsel/Meyers Nave
- (e) Treasurer/San Ramon staff
- (f) General Liability+Crime Insurance/Alliant
- (g) TVTC's webbased collaboration tool
- (h) Mechanics Bank
- (i) Tech Support and annual domain renewal/Planeteria Media



# Item 6.2

# TRI-VALLEY TRANSPORTATION COUNCIL

**Steven Spedowski**  
**TVTC Chair**  
**Vice Mayor**  
Livermore  
(925) 960-4016

**To:** Tri-Valley Transportation Council (TVTC)  
**From:** TVTC Technical Advisory Committee (TAC)  
**Date:** July 17, 2017  
**Subject:** TVTC 2018 Board Meeting Schedule

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**Arne Olson**  
**TVTC Vice-Chair**  
**Councilmember**  
Pleasanton  
(925) 200-8579

TVTC 2018 Meeting Schedule:

**Scott Perkins**  
**Councilmember**  
San Ramon  
(925) 973-2530

**January 22, 2018 at 3pm** – Livermore Amador Valley Transit Authority (LAVTA) Board Room, 1362 Rutan Dr. # 100, Livermore, CA 94551

**April 16, 2018 at 4pm** – Livermore Amador Valley Transit Authority (LAVTA) Board Room, 1362 Rutan Dr. # 100, Livermore, CA 94551

**Don Biddle**  
**Vice Mayor**  
Dublin  
(925) 833-6650

**July 16, 2018 at 4pm** – Location TBD by City of Pleasanton

**October 15, 2018 at 4pm** – Location TBD by City of Pleasanton

**Karen Stepper**  
**Councilmember**  
Danville  
(925) 275-2412

## RECOMMENDATION

ADOPT the 2018 TVTC Board Meeting Calendar.

**Scott Haggerty**  
**Supervisor District 1**  
Alameda County  
(510) 272-6691

**Candace Andersen**  
**Supervisor District 2**  
Contra Costa County  
(925) 957-8860