

TRI-VALLEY TRANSPORTATION COUNCIL

Contra Costa County, Department of Conservation and Development
30 Muir Road, Martinez, CA 94553

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

MONDAY, January 26, 2015

4:00 p.m.

Danville Community Center – Las Trampas Room
420 Front Street, Danville, CA 94526

AGENDA

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

1. Call to Order, Roll Call, and Self Introductions
2. Public Comment
3. Approval of Meeting Minutes September 17, 2014*
4. Oral Communication
5. Old Business
 - a. ADOPT Tri-Valley Transportation Council resolution number 2015-01, Tri-Valley Transportation Development Fee (TVTDF) Schedule (*Action Item*)*
 - b. ADOPT Tri-Valley Transportation Council resolution number 2015-02, Fiscal Year 2014/2015 Budget (*Action Item*)*
 - c. APPROVE Tri-Valley Action for Routes of Regional Significance “Proposal for Adoption” (*Action Item*)*
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*)*
 - 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*)*
7. Other Business/Announcements
 - a. None.
8. Adjournment

*Attachment(s) ** Handouts

Upcoming Meeting:

TVTC TAC: Monday, February 2, 2015, 10:00 a.m., Danville Town Offices, 510 La Gonda Way, Danville, CA 94526

TVTC: Monday, April 20, 2015, 4:00 p.m., Danville Community Center, Las Trampas Room, 400 Front St, Danville, CA 94526

Arne Olson
Councilmember
Pleasanton
(925) 200-8579

Scott Perkins
Councilmember
San Ramon
(925) 973-2530

David Haubert
Mayor
Dublin
(925) 833-6634

Newell Arnerich
Councilmember
Danville
(925) 314-3329

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

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 Jamar Stamps, TVTC Administrative staff at (925) 674-7832 or email at jamar.stamps@dcd.cccounty.us.

Item 3

MINUTES

TRI-VALLEY TRANSPORTATION COUNCIL

Danville Library, Mount Diablo Room

400 Front Street, Danville, CA 94526

September 17, 2014 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 4:02 p.m. by the Chair, Supervisor Candace Anderson, Contra Costa County.

Members in Attendance:

Present

Candace Andersen, Chair, Supervisor District 2, Contra Costa County	X
Doug Horner, Vice Chair, Councilmember, Livermore	X
Jerry Pentin, Vice Mayor, Pleasanton	
Scott Perkins, Councilmember, San Ramon	X
Tim Sbranti, Mayor, Dublin	
Kevin Hart, Councilmember, Dublin (Alternate)	X
Newell Arnerich, Councilmember, Danville	X
Scott Haggerty, Supervisor District 1, Alameda County	

TVTC Staff:

Debbie Bell, City of Livermore	X
Andy Dillard, Town of Danville	X
Mike Tassano, City of Pleasanton	X
Lisa Bobadilla, City of San Ramon	X
Paul Keener, Alameda County	X
Dawn Argula, 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
Andrew Massey, Alameda County Counsel	X

2) PUBLIC COMMENT

None.

3) APPROVAL OF MEETING MINUTES FOR MAY 24, 2014

Correction by Councilmember Perkins; page 3 “25% of max rate increase...35% of max rate increase.”

Motion by Councilmember Perkins; Second by Vice Chair Councilmember Horner.

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

4) ORAL COMMUNICATION

None.

5) OLD BUSINESS

- a. Draft 2014 Contra Costa Countywide Transportation Plan (CTP) Update (Martin Engelmann, Deputy Executive Director, Contra Costa Transportation Authority (CCTA) – Information Item)**

TVTC Board received the CTP update presentation delivered by Martin Engelmann (CCTA).

6) NEW BUSINESS

- a. TVTC Legal Services Agreement with Meyers Nave (Action Item)**

Motion by Councilmember Arnerich; Second by Vice Chair Councilmember Horner.

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

- b. 2014/2015 TVTC Board Meeting Schedule (Action Item)**

Motion by Councilmember Perkins; Second by Vice Chair Councilmember Horner.

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

- c. SB743: Draft Guidelines for Transportation Impact Analysis in CEQA (Discussion Item)**

TVTC TAC presented information about the legislation and a plan to prepare and forward comments to the State Office of Planning and Research (OPR).

Chair Supervisor Anderson and the Board supported staff drafting a letter for the Council's signature.

Councilmember Arnerich urged for the coordination of responses among TVTC member jurisdictions and Alameda County Transportation Commission and Contra Costa Transportation Authority.

7) OTHER BUSINESS/ANNOUNCEMENTS

None.

8) ADJOURNMENT

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

Item 5.a.

6) **OLD BUSINESS**

a. **Tri-Valley Transportation Development Fee Adjustment (Paul Keener – Action Item)**

Following the brief Public Hearing on the Tri-Valley Transportation Development Fee Adjustment, the TVTC TAC and the TVTC Financial Subcommittee recommended that the Tri-Valley Transportation Council approve the TVTDF rate “Option 7” (25% rate increase for one year, effective July 1, 2015, and a 35% rate increase for year two, effective July 1, 2016). This TVTDF adjustment is anticipated to generate \$54,574,138 for the TVTC regional transportation projects over the next ten years.

Councilmember Newell Arnerich moved to adopt the Tri-Valley Transportation Development Fee Adjustment.

Councilmember Harry Sachs seconded the motion.

Approved (Ayes 6; Noes 0; Excused 1)

b. **TVTC Annual Budget (Paul Keener – Action Item)**

Paul Keener provided a summary of the proposed TVTC Annual Budget. He noted a typographical error on page 22. The actual costs associated with Basecamp services are \$600, not \$6,000. This error does not affect the bottom line.

Mayor Tim Sbranti questioned the reason for contracting legal services. Councilmember Arnerich advised that this would allow consistency when jurisdictional transfers occurred with the TVTC administration. Further, this will allow one legal counsel to begin building institutional knowledge of the TVTC actions.

A simplified RFP process will begin soon to enter into a contract for legal services. Until that contract is executed, Alameda County will continue to provide legal services to the TVTC to ensure consistency and continuity until new legal counsel is brought up to speed.

Supervisor Haggerty asked about the idea of a stipend, such as \$50 per meeting, for TVTC members. Councilmember Arnerich suggested that it could be discussed at the TVTC Financial Subcommittee.

Councilmember Newell Arnerich moved to adopt the TVTC annual budget as presented

Councilmember Doug Horner seconded the motion, and the TVTC Annual Budget for 2014-15 was adopted.

Approved (Ayes 6; Noes 0; Excused 1)

(June 19, 2014 TVTC Meeting Minutes)

TRI-VALLEY TRANSPORTATION COUNCIL

Alameda County Public Works Agency
4825 Gleason Drive, Dublin, CA 94568

To: Tri-Valley Transportation Council

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

From: TVTC Technical Advisory Committee

Date: June 19, 2014

Subject: Tri-Valley Transportation Development Fee

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

BACKGROUND

Doug Horner
Councilmember
Livermore
(925) 980-2655

At its meeting on February 13, 2014, the Tri-Valley Transportation Council (TVTC) directed the TVTC TAC to evaluate two Tri-Valley Transportation Development Fee (TVTDF) Schedule options for consideration of implementation by July 1, 2014. The first option consisted of a two-tier phased increase to 25% of maximum allowable (as defined in the 2009 Nexus Study) in the first year, and to 35% of maximum allowable in the second year. The second option consisted of a three-tier phased increase to 25% of maximum allowable in the first year, 30% in the second year, and 35% in the third year. In addition, the TVTC TAC also examined TVTDF projections continuing at current fee rates, projections increasing to and holding at 25% of maximum allowable, and projections increasing to and holding at 35% of maximum allowable. Land use forecast data was collected and utilized from each of the seven member agencies to derive a composite 10-year land use projection for FY 14/15 through FY 23/24.

Jerry Pentin
Vice-Mayor
Pleasanton
(925) 931-5001

At the March 24, 2014 TVTC meeting, the TVTC also requested that the TVTC TAC work with the Tri-Valley development community to address their concerns regarding proposed TVTDF adjustments.

Scott Perkins
Councilmember
San Ramon
(925) 973-2530

DISCUSSION

Tim Sbranti
Mayor
Dublin
(925) 833-6650

As directed by the TVTC, the TVTC TAC examined TVTDF rate adjustment options and resulting revenue projections focused on both current rates and increases of the maximum allowable rates to 25%, 30% and 35% (Table 1).

Newell Arnerich
Councilmember
Danville
(925) 314-3329

Table 1 - TVTDF Rate Increases

	current	25% of max	30% of max	35% of max
Single-Family Units	\$2,433.00	\$3,059.50	\$3,671.40	\$4,283.30
Multi-Family Units	\$1,549.00	\$2,107.50	\$2,529.00	\$2,950.50
Retail/Commercial SF	\$ 1.62	\$3.41	\$3.41	\$3.41
Office SF	\$4.37	\$5.20	\$6.24	\$7.28
Industrial SF	\$2.95	\$3.03	\$3.63	\$4.24
Other TRIPS	\$2,433.00	\$3,399.50	\$4,079.40	\$4,759.30

The TVTC TAC explored seven TVTDF rate schedule options and resulting projections (Table 2). Of the options considered, TVTDF projections at 35% of the maximum allowable rate would produce the highest revenue over the next ten years at \$76.2 million. The second highest revenue would be generated by a two-year tiered increase to 25% and 35% for a total of \$73.7 million. The third highest revenue would be generated by a three-year tiered increase to 25%, 30%, and 35% for a total of \$72.5 million. Other options explored consisted of a combination of the rate increases and implementation dates.

Table 2 - TVTDF Rate Options with Revenue Projections

Option	TVTDF Rate Options	Total 10-year	TVTC	Local	Admin
		Projection	79%	20%	1% max
1	Fee Projections at Current Rates	\$42,516,839	\$33,588,303	\$8,503,368	\$425,168
2	Fee Projections at 25% Max Rates	\$56,901,406	\$44,952,111	\$11,380,281	\$569,014
3	Fee Projections at 35% Max Rates	\$76,183,251	\$60,184,768	\$15,236,650	\$761,833
4	25% rate for year 1, then 35%	\$73,664,474	\$58,194,934	\$14,732,895	\$736,645
5	25%/30%/35% over 3-years	\$72,459,312	\$57,242,857	\$14,491,862	\$724,593
6	25% on Jan 1 '15; 35% on July 1 '16	\$70,167,669	\$55,432,459	\$14,033,534	\$701,677
7	25% on July 1 '15; 35% on July 1 '16	\$69,081,187	\$54,574,138	\$13,816,237	\$690,812

Note: Retail rate capped at 15% for all options

Development Community Input

The TVTC TAC met with Tri-Valley area developers on four separate occasions since the March 24, 2014 TVTC meeting, to discuss current local development and transportation fees in relation to current and proposed TVTDF rates. Additional items discussed included developer requests to consider a “grandfather” policy for planned or “pipe-lined” projects in relation to the timing of any future TVTDF increases. The TVTC TAC and Tri-Valley area developers reached an understanding that delaying any TVTDF increases until July 1, 2015, would be most amenable to the development community. As a result, and with concurrence from participating developers, the TVTC TAC agreed to move forward with a recommendation for “Option 7” for the TVTC’s consideration.

Next Steps

The Public Hearing will be held as an agenda item at the regularly scheduled TVTC meeting on June 19, 2014. The TVTC will open Public Hearing, hear public comment, and close the Public Hearing. Immediately following the Public Hearing, TVTC members will discuss a TVTDF

adjustment and vote on a recommendation. Upon approval of a TVTDF adjustment by the TVTC at the June 19th Public Hearing, each of the seven TVTC member agencies must locally approve the fee adjustment no later than July 1, 2015, and in accordance with the TVTC Joint Exercise of Power Agreement (JEPA).

Project Sponsors are eligible to receive TVTDF allocations in accordance with the TVTC's Strategic Expenditure Plan only if the representing member jurisdiction has adopted the uniform TVTDF schedule (including all subsequent fee adjustments and annual CCI adjustments) as approved by the TVTC. As required by the JEPA, adjustments to TVTDF rates (not including annual CCI adjustments) require a supermajority vote of six (JEPA, Section 7.b.).

RECOMMENDATION

The TVTC TAC and the TVTC Financial Subcommittee recommends that the Tri-Valley Transportation Council approve TVTDF rate "Option 7" (25% rate increase for year one, and 35% rate increase for year two, effective July 1, 2015). This TVTDF adjustment would generate an estimated \$54,574,138 for TVTC Regional Transportation projects over the next ten years.

**TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2015-01**

**ADOPTING THE UPDATED TRI-VALLEY TRANSPORTATION
DEVELOPMENT (TVTD) FEE SCHEDULE**

WHEREAS, on February 26, 2008, the Tri-Valley Transportation Council (TVTC) adopted the findings of the Tri-Valley Transportation Council Nexus Study – Fee Update (“Study”); and

WHEREAS, the Study considered the following Projects and the number of trips generated by each of the land use types and determined the Maximum Fee Rate for each of the land uses; from Table 4.1, Exhibit A of the Study:

- A-2a Route 84 Expressway I-580 to I-680
- A-2b Isabel Route 84/I-580 Interchange
- A-3 I-680 Auxiliary Lanes
- A-5a I-580 HOV Lane Eastbound
- A-5b I-580 HOV Lane Westbound
- A-7 I-580/Foothill/San Ramon Road Interchange
- A-9a Crow Canyon Road Improvements Phase 1
- A-9b Crow Canyon Road Improvements Phase 2
- A-10a Vasco Road Safety Improvements Phase 1
- A-10b Vasco Road Safety Improvements Phase 2
- A-11 Express Bus/Bus Rapid Transit

Projects from Exhibit Table 4.2, Exhibit B of the Study:

- B-1 I-580/I-680 interchange (westbound to southbound)
- B-2 5th eastbound lane on I-580 from Santa Rita to Vasco Road
- B-3 I-580/First Street interchange modification
- B-4 I-580/Vasco Road interchange modification
- B-5 I-580/Greenville Road interchange modification
- B-6 Jack London Boulevard extension
- B-7 El Charro Road Extension
- B-8 Camino Tassajara widening: East Blackhawk Drive to County line
- B-10 I-680 SB HOV lane Gap Closure, North Main to Livorna
- B-11 I-680 Express Bus/HOV On- and Off-Ramps
- B-11b I-680 Transit Corridor Improvements

WHEREAS, the TVTC Financial Committee recommended the proposed TVTD Fee increase in a two-year phase-in plan, with no change in the initial year (FY 2014-15), an increase to 25% of the maximum allowable rate by the fee nexus study in the second year (FY 2015, effective July 1, 2015), and a final increase to 35% of the maximum allowable rate by the third year (FY 2016, effective July 2, 2016); and

WHEREAS, on June 19, 2014, TVTC opened a public hearing to consider the TVTD Fee adjustment, as recommended by the TVTC Financial Committee; and

WHEREAS, on June 19, 2014, after receiving public comment, TVTC closed the public hearing; and

WHEREAS, on June 19, 2014 TVTC approved the updated TVTD fee schedule as recommended by the TVTC Financial Committee; and

WHEREAS, the Cities of San Ramon, Pleasanton, Dublin, Livermore, and Town of Danville have authorized the approval of the updated TVTD fee schedule as recommended by the TVTC Financial Committee and TVTC; and

NOW THEREFORE BE IT RESOLVED THAT:

1. TVTC adopts the following Fee Schedule for each of the designated land uses for the Fiscal Years indicated and finds that said Fee Schedule is determined by the Study to be necessary to generate sufficient revenue to fund portions of the unfunded cost of the listed Projects:

FY 2015/2016 through FY 2016/2017 Fee Schedule			
	Fee (25%)	Fee (35%)	Per Unit
Single Family Homes	\$3,059.50	\$4,283.30	Du*
Multi-Family Homes	\$2,107.50	\$2,950.50	Du*
Office	\$5.20	\$7.28	SF
Retail***	\$3.41	\$3.41	SF
Industrial	\$3.03	\$4.24	SF
Other	\$3,399.50	\$4,759.30	PHT**
Affordable Housing	\$0	\$0	Du*
* Du = Dwelling Unit ** PHT = Peak Hour Trip *** Retail is set at 15% of maximum for FY2014/15 to FY 2029/30			

2. TVTC directs each of the signatory parties to the Joint Exercise of Powers Agreement (JEPA), October 17, 2013, to collect such fees on developments located within their respective jurisdictions for which they grant a Land Use Entitlement and dispose of said exactions in the manner provided for in the JEPA; and

PASSED, APPROVED AND ADOPTED at the meeting of January 26, 2015 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Candace Andersen, Chair
Tri-Valley Transportation Council

ATTEST:

Jamar Stamps, TVTC Administrative Staff

Item 5.b.

6) OLD BUSINESS

a. **Tri-Valley Transportation Development Fee Adjustment (Paul Keener – Action Item)**

Following the brief Public Hearing on the Tri-Valley Transportation Development Fee Adjustment, the TVTC TAC and the TVTC Financial Subcommittee recommended that the Tri-Valley Transportation Council approve the TVTDF rate “Option 7” (25% rate increase for one year, effective July 1, 2015, and a 35% rate increase for year two, effective July 1, 2016). This TVTDF adjustment is anticipated to generate \$54,574,138 for the TVTC regional transportation projects over the next ten years.

Councilmember Newell Arnerich moved to adopt the Tri-Valley Transportation Development Fee Adjustment.

Councilmember Harry Sachs seconded the motion.

Approved (Ayes 6; Noes 0; Excused 1)

b. **TVTC Annual Budget (Paul Keener – Action Item)**

Paul Keener provided a summary of the proposed TVTC Annual Budget. He noted a typographical error on page 22. The actual costs associated with Basecamp services are \$600, not \$6,000. This error does not affect the bottom line.

Mayor Tim Sbranti questioned the reason for contracting legal services. Councilmember Arnerich advised that this would allow consistency when jurisdictional transfers occurred with the TVTC administration. Further, this will allow one legal counsel to begin building institutional knowledge of the TVTC actions.

A simplified RFP process will begin soon to enter into a contract for legal services. Until that contract is executed, Alameda County will continue to provide legal services to the TVTC to ensure consistency and continuity until new legal counsel is brought up to speed.

Supervisor Haggerty asked about the idea of a stipend, such as \$50 per meeting, for TVTC members. Councilmember Arnerich suggested that it could be discussed at the TVTC Financial Subcommittee.

Councilmember Newell Arnerich moved to adopt the TVTC annual budget as presented

Councilmember Doug Horner seconded the motion, and the TVTC Annual Budget for 2014-15 was adopted.

Approved (Ayes 6; Noes 0; Excused 1)

(June 19, 2014 TVTC Meeting Minutes)

TRI-VALLEY TRANSPORTATION COUNCIL

Alameda County Public Works Agency
4825 Gleason Drive, Dublin, CA 94568

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

To: Tri-Valley Transportation Council

From: TVTC Technical Advisory Committee

Date: June 19, 2014

Subject: Tri-Valley Transportation Council FY 14-15 Annual Budget

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

BACKGROUND

The Tri-Valley Transportation Council (TVTC) Joint Exercise of Powers Agreement (JEPA) states that the TVTC prepare and adopt a budget for the TVTC's administrative functions (Section 5.b.iii.). The Administrator shall prepare the annual budget for review and approval by the Council. The TVTC Administrator shall prepare the annual report with input from the Treasurer and the TVTC Finance Committee. The annual budget includes an overview of the TVTC, background, outlook, operating budget, funding revenue, and accomplishments.

Doug Horner
Councilmember
Livermore
(925) 980-2655

The draft annual budget is presented to the TVTC for approval. Prior to the June 19, 2014 TVTC meeting, the TAC held two related meetings with the TVTC Finance Committee.

Jerry Pentin
Vice-Mayor
Pleasanton
(925) 931-5001

DISCUSSION

The annual budget revenues are based on the 1% of the Tri-Valley Transportation Development Fees set aside average annually over 10 years (\$42,500) for ongoing administrative costs; including administrative support; accounting services; audit services, legal services, treasurer oversight, insurance, basecamp, banking services and website annual maintenance. The TVTC FY 14/15 annual budget includes:

Tim Sbranti
Mayor
Dublin
(925) 833-6650

- Administrative staff support - \$20,000.
- Accounting Services - \$5,000.
- Audit Services - \$5,000 .

Newell Arnerich
Councilmember
Danville
(925) 314-3329

- Legal Services - \$7,000. It is the intent to select outside legal services for TVTC. In the interim, Alameda County General Counsel will serve until the TVTC approves a Legal Services contract.
 - Treasurer Oversight Services - \$1,200.
 - Insurance - \$5,000.
 - Basecamp - \$6,000.
 - Banking/Service Charges - \$600.
 - Website Annual Maintenance - \$1,500.

All costs will be reviewed and adjusted, if necessary on an annual basis.

The Tri-Valley Transportation Development Fees for Projects will cover the one-time cost of the Tri-Valley Nexus Study, the Strategic Expenditure Plan Update and the development of a TVTC website.

The previous Nexus Study and Strategic Expenditure Plan was funded in the same fashion.

RECOMMENDED ACTION

It is recommended that the Tri-Valley Transportation Council approve the FY 14-15 Annual Budget.

TRI-VALLEY TRANSPORTATION COUNCIL

PROPOSED FY 2014-15 BUDGET

REVENUES

Transportation Development Project Fees	\$	163,283
FY 14-15 Projected Administrative Fees	\$	42,517
Total Program Revenues:	\$	205,800

EXPENSES

Operating Expenditures

Administrative Support	\$	20,000
Accounting Services	\$	5,000
Audit Services	\$	5,000
Legal Services	\$	7,000
Treasurer Oversight	\$	1,200
Insurance	\$	5,000
Basecamp	\$	600
Banking/Service Charges	\$	500
Website Annual Maintenance	\$	1,500
Subtotal	\$	45,800

Miscellaneous Expense

Website Development	\$	10,000
Nexus Study/Strategic Expenditure Plan Update	\$	150,000
Subtotal	\$	160,000

Total Program Expenditures: \$ 205,800

**TRI-VALLEY TRANSPORTATION COUNCIL
RESOLUTION NO. 2015-02**

**ADOPTING THE TRI-VALLEY TRANSPORTATION COUNCIL
FISCAL YEAR 2014/2015 BUDGET**

WHEREAS, on October 18, 2013 the Tri-Valley Transportation Council (“TVTC”), consisting of the County of Alameda, the County of Contra Costa, the Town of Danville, the City of Dublin, the City of Livermore, the City of Pleasanton, and the City of San Ramon, entered into a Joint Exercise of Powers Agreement (“JEPA”) effectively establishing TVTC as a separate public entity duly organized and existing under the Constitution and other laws of the State of California; and

WHEREAS, the JEPA establishes: 1) a framework for TVTC to enact a development fee necessary for implementation of transportation improvements; 2) funding goals for transportation improvements; 3) mechanisms for collecting, managing and disbursing development fees for implantation of transportation improvements; and 4) facilitation of cooperative regional planning efforts through adoption and implementation of regional transportation plans, the Strategic Expenditure Plan and fee program;

WHEREAS, the JEPA under section 5(b)(iii) authorizes TVTC to prepare and adopt a budget for TVTC’s administrative functions; and

WHEREAS, the annual budget revenues are based on 1% of the TVTC development fees for ongoing administrative costs, including administrative support, accounting services, audit services, legal services, treasurer oversight, insurance, website services and baking services; and

WHEREAS, the proposed Fiscal Year 2014/2015 budget is \$205,800 and will be reviewed and adjusted, if necessary, prior to adoption of the next fiscal year budget; and

NOW THEREFORE BE IT RESOLVED THAT:

TVTC adopts the Fiscal Year 2014/2015 budget as recommended by the TVTC Technical Advisory Committee.

PASSED, APPROVED AND ADOPTED at the meeting of January 26, 2015 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Candace Andersen, Chair
Tri-Valley Transportation Council

ATTEST:

Jamar Stamps, TVTC Administrative Staff

Item 5.c.

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
Pleasanton
(925) 200-8579

Scott Perkins
Councilmember
San Ramon
(925) 973-2530

David Haubert
Mayor
Dublin
(925) 833-6634

Newell Arnerich
Councilmember
Danville
(925) 314-3329

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

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

Tri-Valley Transportation Plan and Action Plan Update

DRAFT Proposal for Adoption

Prepared by:



1970 Broadway, Suite 740
Oakland, CA 94612

December January 2015

Table 3: Status of Existing MTSOs

MTSO	Standard	Facilities	2013 Monitoring
Peak Hour Travel Speeds	Minimum average speed of 30 miles per hour	I-680	AM: 56.3 mph (NB), 52-56.8 mph (SB) PM: 42-44.5 mph (NB), 54-58.5 mph (SB)
		I-580	AM: 63-62.4 mph (EB), 36-35.2 mph (WB) PM: 45-48.6 mph (EB), 59.3 mph (WB)
Delay Index	Delay index of 2.0 or less	I-680	AM: 1.1 (NB), 1.1 (SB) PM: 1.43 (NB), 1.10 (SB)
		I-580	AM: 1.0(EB), 1.67 (WB) PM: 1.32(EB), 1.0 (WB)
	Delay index of 3.0 or less	SR-84	AM: 1.47 (NB), 1.79 (SB) PM: 1.57 (NB), 1.56 (SB)
Congestion Duration	No more than 5 hours of congestion per day south of SR-84	I-680	NB: 4 hours SB: 3 hours
Intersection Level of Service	LOS "E" at signalized intersections No standard in downtown areas	80-87 intersections	LOS F (both AM & PM peak, unless noted) at: <ol style="list-style-type: none"> 1. Dougherty Rd/Amador Valley Rd 2. Stanley Blvd/Murrieta Blvd 3. Hopyard Rd/Owens Dr (PM) 4. Santa Rita Ave/Valley Ave (PM) 5. Stanley Ave Blvd/Valley Ave (PM) 3. Sunol Blvd/I-680 NB Ramps 4. Danville Blvd/Livorna Rd (AM) 5. Danville Blvd/Stone Valley Rd (PM) 6. Bollinger Canyon Rd / Camino Ramon 6.7. Bollinger Canyon Rd / Alcosta Blvd (PM)

Source: 2013 CCTA MTSO Monitoring Report

3.2 Traffic Speed and Delay

The existing speeds on several Regional Routes of Significance were used to calculate the delay index. The model provided speeds for the future scenario, and these were used to calculate the respective delay index.

Table 7: Baseline Traffic Forecasts for Select Routes of Regional Significance

<i>Road Name</i>	<i>2013 PM Peak Hour Volume -Peak Direction</i>	<i>2013 - 2040 PM Peak Hour Volume <u>Percent</u>% Growth</i>
I-680 (North of Diablo Road)	8140	23%
I-680 (South of SR-84)	7690	52%
I-580 (West of I-680)	7400	47%
I-580 (East of Tassajara Road)	9050	35%
I-580 (East of Vasco Road)	7600	59%
Vasco Road (At County Line)	810	11%
Stanley Boulevard (West of Isabel Avenue)	1810	2%
Bollinger Canyon Road (At Dougherty Road)	690	158%
Crow Canyon Road (at Dougherty Road)	2200	28%
Camino Tassajara (at Crow Canyon Road)	1580	10%

Source: CCTA Travel Demand Model, Projections 2013

4.3 Evaluation of MTSO Values for 2040 Traffic Conditions

A summary of the results of the analysis of MTSO values for the 2040 forecast year is presented in Table 8. More detail on the MTSO values can be found in Appendix A. Table 8 provides the results from the 2013 MTSO monitoring, values estimated for a “No Project” forecast that excludes all actions contained in the five Action Plans except those that are fully funded and programmed, and values for a “With Actions” forecast that includes all actions from the five Action Plans. This is the first time that a forecast of future year values of MTSOs for a “No Project” scenario has been presented and it does differ from the “Baseline” forecasts used in previous versions of the TVTC Plan. The “Baseline” forecasts used in the past included some but not all of the actions.

As indicated in Table 8 in the results for 2040 ~~Baseline~~ “No Project” (without the Action Plan ~~Actions~~actions), the growth in traffic that is expected in the Tri-Valley will result in a significant deterioration in MTSO performance with respect to intersection level of service, despite a significant investment in transportation projects and service already programmed. There is also some deterioration in freeway Speeds and Delay Index, but there is only one exceedances of the either MTSO - I-580 Westbound in the AM. It should be noted that tThe forecast for 2040 reflects a doubling of transit ridership in the Tri-Valley and an increase

in the peak period transit mode share from about 8 percent% to about 12 per-cent%. We note, however, that historically, the model used for the development of the TVTC Plan has tended towards over-predicting transit ridership for the Bay Area. ~~By way of example, MTC's regional model, upon which the County-wide Model is based, consistently over-predicted transit ridership in the 2001 Regional Transportation Plan. Although MTC's model predicted a more than 15 percent increase in transit ridership between 2000 and 2005, actual ridership in the Bay Area declined.~~ These results for the 2040 "No Project" suggest that additional actions beyond the already programmed projects will be needed to meet the goals and objectives of the plan.

Table 8 also provides results for a 2040 forecast with all of the TVTC Plan actions described in Section 5 of this report as well as the actions of the other subareas in Contra Costa. While the actions do produce an improvement in many of the MTSOs, the results indicate that there will still be exceedances of arterial intersection MTSO despite the additional investment.

limit, could help supplement public funds. Future sales tax or gasoline tax initiatives may or may not be successful.

- **Physical Limitations within Corridors** - Expansion of major corridors within Tri-Valley is limited due to existing development and terrain. These limitations hinder the development of transportation corridors other than the existing I-680 and I-580 corridors.
- **Development Patterns** - Development patterns within Tri-Valley have been geared toward relatively low housing and commercial densities. These patterns are expected to continue in the future. This development pattern is impossible to serve thoroughly with transit, given realistic funding expectations.

The TVTC Plan uses the above policy focus to create a set of actions comprising an integrated plan. The transportation plan supports the “Complete Streets” policies of the jurisdictions and is comprised of enhancement to roadway capacity coupled with increased transit service, improved pedestrian and bicycle facilities, control of demand (growth management and TDM), and acceptance of congestion in locations where it cannot be avoided. The following sections provide an overview of the plan.

5.2 Roadways

The plan includes many improvement projects for freeways, interchanges, arterials, and intersections. These are all based on the reality of *gateway constraints*.



Gateway Constraint Policy: In the development of the first Tri-Valley Transportation Plan/Action Plan in 1995, analysis of alternatives through the planning process showed that the TVTC’s mobility and accessibility would not be improved by widening any of the gateways for single-occupant vehicles leading into the area.

~~Current gateways are established by two factors: geographic constraints and financial constraints. To some degree, the geographic constraints can be overcome through significant capital investments in new highway projects. However, the TVTC Plan is based upon the assumption that significant capacity enhancements to the gateways serving Tri-Valley are not financially feasible. The policy of the TVTC is to work closely with neighboring jurisdictions, Congestion Management Agencies, Caltrans, and MTC to resolve capacity problems at the gateways and,~~

~~as needed, through the partnership activities and to subsequently adjust Tri-Valley Transportation Plan should funding of mutually acceptable facilities become possible.~~

The gateways include I-680 north and south, I-580 east and west, Crow Canyon Road to Castro Valley, and Vasco Road in Alameda County. Their locations are illustrated in Figure 13. Widening of these gateways would leave the freeways congested, lead to more through traffic, and increase traffic volumes on other Tri-Valley roads. This is ~~true~~ because of the Tri-Valley's strategic location between San Joaquin County and the Bay Area and also between Central and Eastern Contra Costa County and Santa Clara County.

The implication of gateway constraints for roadway planning is that the interior freeways and arterials should be sized to handle only what traffic can get through the gateways. Thus, the TVTC Plan recognizes that congestion will occur for several hours each weekday at the gateways, but this will have the positive effect of metering single-occupant vehicle travel to and from the area. Within the Tri-Valley area, the road system is designed to function with these gateways constrained to minimize congestion. The roadway plan, when combined with a balance between jobs and housing, and given expected financial constraints and forecast travel demands, produces the best conditions that can reasonably be expected.

The rationale for the TVTC Gateway Constraint Policy is described below:

- **I-680 North.** The section north of Diablo Road cannot be widened beyond the HOV/Express Lanes without overcoming several significant constraints: the widening would require additional right-of-way, construction of new retaining structures, and the costly reconstruction of existing overpasses and undercrossings, as well as increase impacts on adjoining land uses. The gateway constraint assumption recognizes these constraints. This concept should not be construed as an effort to preclude all potential solutions to mitigate increasing congestion on I-680 between Interstate 580 and SR-24. TVTC and SWAT should work cooperatively with TRANSPAC and CCTA to identify and pursue strategies that are mutually beneficial.
- **I-680 South.** The section south of SR-84 has limited room to be widened, and this limited widening would help accommodate and balance increased flows into this section from both I-680 and the new planned SR-84 project. Accordingly, the plan recommends the addition of northbound HOV/Express Lanes. It is important to note that Alameda CTC has under-

straint analysis methodology as part of its *Technical Procedures*.² This methodology takes into account physical roadway constraints, queuing, and recurrent delay at the gateways.

Current gateways are established by two factors: geographic constraints and financial constraints. To some degree, the geographic constraints can be overcome through significant capital investments in new highway projects. However, the TVTC Plan is based upon the assumption that significant capacity enhancements to the gateways serving Tri-Valley are not financially feasible. The policy of the TVTC is to work closely with neighboring jurisdictions, Congestion Management Agencies, Caltrans, and MTC to resolve capacity problems at the gateways and, as needed, through the partnership activities and to subsequently adjust Tri-Valley Transportation Plan should funding of mutually acceptable facilities become possible.

Corridor Management Congestion Strategies. A number of alternative strategies to adding new lanes or building new roads are available for addressing congestion. These strategies focus on improving the efficiency of traffic flow on roads, and thereby increasing the number of vehicles or people that can move through that corridor. The range of potential strategies is broad. They can include the addition of auxiliary lanes to freeways, incident management programs such as the Freeway Service Patrol, changeable message signs that provide information to travelers on travel alternatives, ramp metering, and support for travel alternatives such as park-and-ride lots and HOV bypass lanes at freeway ramps. In a sense, the gateway constraint concept is a strategy for managing the main travel corridors within the Tri-Valley.

Caltrans, with support from MTC, is in the process of implementing Traffic Operations Systems (TOS) along freeway corridors within the Bay Area. These systems will provide information to travelers on accidents and other delays on freeways, alternative routes to avoid these delays, and other information to encourage traveler decisions that would improve efficient roadway operations.

Ramp metering controls the volume of traffic entering a freeway at selected ramps to avoid break-down in the flow on the freeway. By avoiding break-down, the freeway is able to maintain the highest level of throughput and the system is kept as efficient as possible. Although a single freeway lane can carry as many as 2,000 to 2,200 vehicles per hour under optimal conditions (maximum throughput generally occurs at a level of service E), as demand exceeds those optimal conditions, the volumes carried actually drop. Under the most congested conditions (level of service F), travel lanes have been observed to carry only

Tri-Valley Transportation Plan and Action Plan

Table 9: Projects for the Tri-Valley Interregional Routes of Regional Significance

<i>Project / Action Name</i>	<i>Project / Action Limits</i>	<i>Primary Sponsor</i>
I-580		
Westbound HOV Lane	Foothill Road to E. of Vasco Road	ACTC
Eastbound through lane #5	Santa Rita Road to Vasco Road	ACTC, Caltrans
Westbound Aux Lane	Airport Boulevard to Tassajara Road	ACTC
Eastbound HOV conversion to express lane	Hacienda Drive to Greenville Road (Double lane form El Charro Road to Vasco Road)	ACTC
Westbound HOV/Express lane	Greenville Road to San Ramon Road /Foothill Road Overcrossing	ACTC
Eastbound auxiliary lanes	Isabel Avenue and North Livermore Ave North Livermore and First Street	ACTC
Traffic Operations System		ACTC, Caltrans
Park and Ride Lots		Caltrans
Interchange Improvements - Phase 2	El Charro Road and Fallon Road	Livermore, Dublin, Pleasanton
Corridor right-of way preservation		ACTC, Livermore, Dublin, Pleasanton
Eastbound truck climbing lane		Caltrans
Greenville Road Interchange improvements		Livermore, Caltrans
BART extension to Livermore		Livermore, BART
I-680		
I-680: Construct Auxiliary Lanes, Sycamore to Crow Canyon	Sycamore Valley to Crow Canyon	CCTA, Caltrans
HOV/Express lane over Sunol Grade (northbound)	Northbound HOV/Express lane from SR 237 to Rt. 84	ACTC, Caltrans
Southbound I-680 HOV Lane Extension	North Main to Livorna	CCTA
Transportation Operations System on I-680 South of I-580	I-580 to Santa Clara County Line	ACTC, Caltrans
<u>I-680/Sunol I/C improvements</u>	-	<u>ACTC, Caltrans</u>
I-680/I-580 Interchange: Widen	I-680/I-580 Interchange	ACTC, Caltrans

5.4 Freight Transportation

Freight transportation provides an important contribution to the economy. As such, it is both necessary and appropriate that the Plan gives strategic priority to the movement of freight. ~~Freight transportation provides an important contribution to the economy. As such, it is both necessary and appropriate that the Plan gives strategic priority to the movement of freight.~~ There are focused efforts occurring at all levels of the government. I-580 and I-680 in the Tri-Valley are critical parts of the regional freight network, ~~and I-580~~ serving to move goods from the San Joaquin Valley and beyond to the Port of Oakland through I-880. Considering the significance of these routes for the freight movement at the national level, the draft Primary Freight Network (PFN) released recently by the Federal Highway Administration as required by the Federal Transportation Act (MAP 21), includes I-580 and I-680 south of I-580 in Tri-Valley in the draft PFN. At the state level, a California State Freight Mobility Plan is being developed. Concurrently, MTC and Alameda CTC are engaged in a collaborative effort to develop a Regional and Countywide Goods Movement Plan. All these plans are expected to recognize and emphasize the importance of I-580 and I-680 in Tri-Valley for freight movement at all levels. To this end, expenditure priority should be given to those operational improvements necessary to prevent the encroachment of commute traffic from congesting these key freight routes during midday hours (defined as from 9:00 AM to 3:00 PM).

5.5 Transportation Demand Management (TDM)

While the TVTC supports TDM measures, it does not want to base the Plan on unrealistic TDM goals that are not supported by feasible programs. The Plan is based on a goal of an average 10 percent increase in average vehicle ridership (AVR) for all employers, increasing the AVR from 1.1 to 1.2. This increase would be realized through the adoption and enforcement of local trip reduction ordinances.

Recently passed Senate Bill 1339 ~~authorizes~~ authorized MTC and the BAAQMD to adopt a commuter benefits policy that will require employers with 50 or more full-time employees to offer their employees at least one of the following benefits:

- The option to pay for their transit, vanpooling or bicycling expenses with pre-tax dollars, as permitted under IRS Code 132 (f) – the Transportation Fringe Benefit.
- A transit or vanpool subsidy of at least \$75/month in 2013 and adjusted annually for inflation thereafter.
- Access to a free shuttle or vanpool operated by or for the employer.

- An alternate option proposed by the employer and approved by MTC or BAAQMD.

~~A draft rule has been drafted by the BAAQMD to initiate the program, and final adoption and implementation is expected in 2014.~~ The Boards of BAAQMD and MTC formerly adopted the Bay Area Commuter Benefits Program in March of 2014. ~~Once adopted,~~ Employers subject to the rule ~~will have~~ had six months to register and show evidence of the program(s) offered.

5.6 Land Use and Growth Management

Land use assumptions for this Plan Update are based on a set of projects produced by ABAG in 2011, prior to adopting SCS in July 2013, and were subject to extensive review and input by staff from the TVTC local jurisdictions through each planning department. It should be noted, however, that the TVTC Plan uses a 2040 forecast that is not the same as General Plan “buildout,” which may be either higher *or* lower than the adopted forecast.

Overview of Contra Costa Jurisdictions’ Responsibilities under the GMP

The Contra Costa GMP requires that local jurisdictions work with the RTPCs to apply the CCTA’s travel demand model and technical procedures to analyze the impacts of proposed ~~General Plan Amendment~~ general plan amendments (GPAs) and developments exceeding specified thresholds for their effects on the local and regional transportation system. The requirements that apply to Contra Costa jurisdictions are set forth in Section 4 of the Implementation Guide³. The requirements involve a 16-step process for consultation between the local jurisdiction initiating the GPA and all other affected parties, including the RTPC. The intent of the GPA review policy is to ensure that the proposed GPA will not adversely affect implementation of the adopted Action Plans.

Overall Process for General Plan Amendment Review

While the GPA review process is a requirement for the Contra Costa jurisdictions, it is essentially voluntary for the Alameda jurisdictions. If the specific GPA or project exceeds the trip threshold specified in the TVTC Plan- 500 net new peak hour vehicle trips, the jurisdiction considering the plan amendment must submit the amendment to the Regional Committee for evaluation of its impact on the ability to achieve TPTP objectives. The Growth Management Program directs the RTPCs to evaluate proposed amendments only in relation to issues affecting

³ Contra Costa Transportation Authority, Growth Management Program Implementation Documents, *Implementation Guide*, Adopted June 16, 2010, p. 41.

16. Close gaps and enhance access along regional trails that provide direct access to regional public transit services, transit centers and transfer points.
17. Encourage the coordination of public transit operator's short-range and long-range transit plans with county-level and regional-level planning documents. Incorporate relevant components of the SRTP's of LAVTA, CCCTA, ACE, BART, and TRAFFIX into TVTC documents.
18. Encourage the development of long-range transit infrastructure needs assessment to enhance public transit service along arterials.
19. Encourage implementation of Complete Streets policies of the local jurisdictions.
20. Encourage regional and local multimodal access to PDAs.

Specific recommendations for expansion of transit services include the following:

1. Explore Feasibility of a Regional Express Bus Program.
2. Extend BART to Livermore.
3. Support Increased Connectivity and Accessibility among Transit Modes.
4. Solidify Expansion and Enhancement of Bus Rapid Transit Project.
5. Evaluate Systemwide Bus Stop Improvements.
6. Support Expansion of Paratransit Services.
7. Support Transit Service in Vasco Road Corridor.
- 7.8. Support and participate in a joint TVTC/TRANSPAC I-680 corridor high-capacity transit study to relieve congestion on I-680.

Additional Actions for Routes of Regional Significance

This section describes additional actions for specific Routes of Regional Significance within the Tri-Valley designed to address potential deficiencies in MTSO values for 2040. These actions would involve development of projects that are currently not fully funded and are therefore above and beyond the actions identified in Tables 9 and 10 that are already programmed. These projects are in a con-

6 FINANCIAL PLAN

6.1 Overview of the Financial Plan

The projects and programs of the TVTC Plan receive funding from a variety of sources. Many of the projects and programs designed to address needs within an individual community are funded by the general revenues of the jurisdiction (city or county) in which the project is being implemented or through development impact fees specific to the jurisdiction. Larger projects of a more regional nature generally receive funding from a variety of funding sources designed to address subarea or regional issues. These include revenue from the county sales tax measures for Alameda County (Measure B) and Contra Costa County (Measures C and J).

Measure B was passed in 2000 and extended the half-cent sales tax for transportation in Alameda County through the year 2022. Measure B provides roughly \$3 billion over the 20-year period. Some of the key Tri-Valley projects funded by Measure B are the following:

- I-580 Auxiliary Lanes
- I-580 BART to Livermore Studies
- I-680 Express Lanes
- SR-84 Expressway
- Vasco Road Safety Improvements
- Altamont Commuter Express Rail Capital Improvements
- Bicycle and Pedestrian Trail Improvements

A measure to add an additional half-cent and extend the existing sales tax for a 30-year period (Measure BB) is planned for was passed by voters in Alameda County in November of 2014 elections. -Measure BB projects in the Tri-Valley include the following:

- BART expansion, modernization and extension to Livermore in the I-580 median to Isabel Ave.
- Operating funds for LAVTA Wheels bus service
- Affordable and accessible transit for seniors and people with disabilities
- Affordable student transit pass program and safe routes to schools
- Freight corridor improvements on I-580
- I-580 interchange improvements at Greenville Rd., Isabel Ave. and Vasco Rd.

- I-580/I-680 interchange improvements
- I-680 carpool/express lanes from Alcosta Blvd. to State Route (SR) -237
- Major commute Corridor improvements to Dougherty Rd., Dublin Blvd., El Charro Rd. and Greenville Rd.
- SR-84/I-680 interchange improvements and SR-84 widening
- Improvements to support transit oriented development at East Dublin/Pleasanton and West Dublin BART stations
- Iron Horse Trail bicycle and pedestrian projects

Measure C in Contra Costa County was passed in 1988 and provides a half-cent sales tax for transportation through the year 2009. Measure J was passed in 2004 and extends the half-cent sales tax through 2034. Measure C provided roughly \$70 million to \$80 million per year for total revenues of approximately \$1 billion. Measure J will provide roughly \$1.52 billion over the 25-year period. Some of the key Tri-Valley projects that will be funded by Measures C and J are the following:

- I-680 HOV Lane Gap Closure and Transit Corridor Improvements
- BART Parking, Access and Other Improvements
- Local Street Maintenance and Improvements
- Major Street Traffic Flow, Safety and Capacity Improvements
- Transportation for Livable Communities Grants
- Pedestrian, Bicycle and Trail Facilities
- Bus Services
- Transportation for Seniors and People with Disabilities
- Commute Alternatives
- Congestion Management, Transportation Planning Facilities and Services
- Safe Transportation for Children

Additional regional funds are provided by the following federal, state and regional sources:

- Federal Surface Transportation Funds – MAP-21
- State Transportation Development Act (TDA)/State Transit Assistance (STA) Revenues
- State Transportation Improvement Program (STIP) Funds
- State Corridor Management Improvement Account (Prop 1B)

Item 6.a.

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

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

Subject: Request to Appropriate TVTD Fee Funds to State Route 84 Corridor Improvements I-580 to I-680 (Project A-2a) of the TVTC Strategic Expenditure Plan

Arne Olson
Councilmember
Pleasanton
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BACKGROUND

The Tri-Valley Transportation Council (TVTC) adopted the Tri-Valley Transportation Plan/Action Plan ("TVTP/AP" or "Plan") 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. One of these improvement projects is State Route 84 (SR 84) Corridor Improvements from I-580 to I-680.

Scott Perkins
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In 1998 the TVTC proposed, and all seven member-jurisdictions approved, the Tri-Valley Transportation Development Fee (TVTDF) program. The TVTDF is intended to provide partial funding for selected regional projects identified in the TVTP/AP. This funding is intended to get the projects ready to compete for federal funding and provide additional funding during the construction phase.

David Haubert
Mayor
Dublin
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In 1999, the TVTC adopted the Strategic Expenditure Plan (SEP) which identifies priorities, project sponsors, and funding for TVTDF projects. The SEP specifically established a funding plan for eleven regional transportation projects. Between 1999 and 2010 eight of the eleven SEP projects were completed. The TVTC then adopted the 2010 Interim Funding Plan to update the SEP funding programming and allocations for the three remaining projects (Attachment 1). Of these three remaining projects, two received full TVTD Fee funding disbursements in 2010 (Project A-5 I-580 HOV Lanes and Project A-7 I-580 Foothill/San Ramon Rd. Interchange). The SR-84 project Corridor Improvement Project (Project A-2a State Route 84) is the only remaining project from the 2010 Interim Funding Plan with an available allocation balance.

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Scott Haggerty
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DISCUSSION

The 1999 SEP programmed \$24 million in TVTDF funds to the SR-84 project Corridor Improvement Project (Project A-2a State Route 84). In 2003 the TVTC

sponsored a Project Study Report (PSR) for this project which recommends roadway widening to include the ultimate alignment of four lanes from I-680 to Stanley Boulevard and six lanes from Stanley Boulevard to I-580. The PSR identified several improvement projects that could be constructed in stages as funding became available. Of the original \$24 million programmed for this project, \$11.06 million was dispersed prior to January 2010 and used in combination with other fund sources to complete the following projects:

- Construction of the northbound and southbound Pigeon Pass climbing lanes (State SHOPP funds) - completed in 2008
- Construction of the I-580/SR 84 Isabel Interchange (2000 Measure B, Federal, State, and Local funds) - completed in 2012
- Widening and utility relocation of SR 84 between Airway Boulevard and Jack London Boulevard (TVTDF, Measure B, State funds) - completed in 2012
- Re-alignment of the Isabel/Vallecitos intersection (TVTDF 20% funding) - completed in 2007
- Widening of SR 84 from Jack London Boulevard to Concannon Boulevard (2000 Measure B, State Bond, and Local funds) - estimated completion 2014

The 2010 Interim Funding Plan identified a remaining total of \$12.94 million available for the following SR-84 projects, of which \$7.94 million has been dispersed as shown below:

- Widening of SR 84 between I-680 and Pigeon Pass (Measure B, Measure BB, and Local funds) - \$2.94 million dispersed in July 2013 to complete the supplemental Environmental Design/Project Review (ED/PR) report for the four lane section between I-680 and Pigeon Pass.
- Widening of SR 84 from Concannon Boulevard to Ruby Hills Drive (TVTDF funds, 2000 Measure B, State STIP RIP, Federal RIP TE, and Local funds) - \$5 million dispersed in October 2013 and \$5 million remaining to be allocated to construct improvements from Concannon Boulevard to Ruby Hills Drive. Estimated completion in fall 2017.

As identified above, \$5 million remains to be allocated from the 2010 Interim Funding Plan for the construction of improvements on SR 84 from Concannon Boulevard to Ruby Hills Drive (Project A-2a). This project will involve widening a 2.4 mile section of State Route 84 from Concannon Boulevard to Ruby Hills Drive from two to four lanes (Attachment 2). The City of Livermore is the project sponsor and Alameda County Transportation Commission (ACTC) is the project lead.

Environmental clearance was obtained for this project in August 2008, final design and right-of-way acquisition phases are currently in progress, and the project is expected to advertise for construction in spring 2015. Construction activities are scheduled to begin early summer 2015 and continue through summer of 2017. ACTC and Livermore entered into a Cooperative Agreement for this project in January 2014 in which ACTC agrees to oversee environmental clearance, final design, right of way acquisition, utility relocation, and monitor construction progress (Attachment 3) and the City of Livermore agrees to transfer the remaining \$5 million TVTDF funds upon allocation by TVTC.

As of November 28, 2014 the TVTC has a balance of over \$4.795 million available for allocation (Attachment 4). While there is no guidance provided in the TVTC JEPAs or Bylaws, staff recommends the TVTC retain more than sufficient funds to pay all expenses as approved in the annual budget; the 2014-2015 Budget as approved by the TVTC on June 19, 2014 indicates expenses at \$205,000 (Attachment 4). To be conservative, staff recommends a \$4.5 million allocation which will leave over \$245,000 available for annual expenses. An additional \$1 million is expected to be available by spring 2015 at which time the remaining \$500,000 can be allocated for this project.

RECOMMENDATION

- 1) **AUTHORIZE** the Tri-Valley Transportation Council Treasurer to appropriate \$4.5 million in Tri-Valley Transportation Development Fee funds for the State Route 84 Corridor Improvements: I-580 to I-680 (Project A-2a) of the TVTC Strategic Expenditure Plan; and
- 2) **AUTHORIZE** the TVTC Treasurer to immediately transmit \$4.5 million in TVTDF funds to the City of Livermore, which will, in turn, pass the \$4.4 million in funds through to the Alameda County Transportation Commission, the party responsible for the management and construction of the "State Route 84 – Concannon Boulevard to Ruby Hills Drive" Phase of the project.

ATTACHMENTS

1. 2010 Interim Funding Plan
2. Route 84 Expressway South Segment Fact Sheet
3. ACTC/Livermore Cooperative Agreement
4. TVTC Bank Statement
5. TVTC Approved FY2014/15 Budget
6. Resolution

ATTACHMENT 1

EXHIBIT A

2010 Interim Funding Plan (In \$ millions)		TVTD Fee				
ACCOUNT BALANCE (beginning of fiscal year) ¹ :		\$1.75	\$0.30	\$0.17	\$2.87	\$5.80
FISCAL YEAR AND PROJECTED FEE REVENUE ² :		Jan-Jun '10	10/11	11/12	12/13	13/14
		\$0.41	\$2.81	\$7.70	\$7.93	\$8.78
2004 SEP						
PROJECTS	Update Programmed Funds	Funds Disbursed Prior to January 2010	Undisbursed Programmed Funds			
A-1 I-580/I-680	\$5.6	\$5.65	\$0.00	disbursement continued		
A-2a SR 84 - I-580 to I-680 Expressway ³	\$24.0	\$11.06	\$12.94	\$0.00	\$2.94	\$5.00
A-2b SR 84 - Isabel Rte 84/I-580 Interchange	\$0.0	\$0.00	\$0.00	funds programmed disbursement complete		
A-3 I-680 Auxiliary Lanes (CoCoCo)	\$12.0	\$12.00	\$0.00	disbursement complete		
A-4 West Dublin/Pleasanton BART Station	\$4.0	\$4.00	\$0.00	disbursement complete		
A-5 I-580 HOV Lanes	\$8.0	\$6.90	\$1.10	\$1.10	no funds programmed	
A-6 I-680 HOV Lanes, Sunol	\$0.0	\$0.00	\$0.00	funds programmed		
A-7 I-580/Foothill/San Ramon Rd Interchange	\$1.6	\$0.85	\$0.75	\$0.75	no funds programmed	
A-8 I-680/Alcosta Blvd Interchange	\$1.6	\$1.60	\$0.00	disbursement complete		
A-9 Crow Canyon Rd Improvements	\$0.0	\$0.00	\$0.00	no funds programmed		
A-10 Vasco Rd Improvements	\$0.0	\$0.00	\$0.00	no funds programmed		
A-11 Express Bus Service	\$0.0	\$0.00	\$0.00	\$0.03	no funds programmed	
Consultant Services - SEP Update		\$0.02		\$0.02		
City of Pleasanton - Development Refund				\$0.30	\$0.17	\$2.87
			Account balance end of fiscal year:	\$5.80	\$14.58	

Notes:

- 1) The account balance for FY 2009/10 is as of 12/31/09.
- 2) Revenue projections represent 80% Funds less the 1% administrative/treasurer fee
- 3) Disbursement of \$2.94 in 2010-2011 is for the southern portion of the project (Pigeon Pass to I-680). This disbursement is assumed to occur only after an MOU regarding parallel arterials has been finalized between the Alameda County TVTC member agencies. It should be noted that the full \$2.94 million may not be needed for the PSR Update.

CAPITAL PROJECTS PROGRAM
Project Fact Sheet



PROJECT SPONSOR

City of Livermore

PROJECT DESCRIPTION

The Route 84 Expressway - South Segment Project involves widening a 2.4 mile section of State Route (SR) 84 (Isabel Avenue) from Ruby Hill Drive to Concannon Boulevard from two lanes to four lanes.

PROJECT STATUS

A 2003 Project Study Report (PSR) sponsored by the Tri-Valley Transportation Council (TVTC) identified several improvement projects along SR 84 (Isabel Ave corridor) between I-680 and I-580 that could be constructed in stages as funding became available. Environmental clearance was achieved in August 2008 for the combined North and South Segments.

The Alameda CTC and the City of Livermore are responsible for managing the Final Design and Right-of-Way Acquisition Phases of the project which are currently in progress. The project is expected to advertise for construction in summer 2015. Construction activities are scheduled to begin fall 2015 and continue through the fall of 2017.

Route 84 Expressway - South Segment

Project Number: 624.2 | September 2014



Project Highlights

- Final design, right-of-way acquisition and utility relocation design is underway
- **Future Transportation Funding Opportunity:** The [2014 Transportation Expenditure Plan](#) and measure will be on the ballot in November 2014 to fund essential transportation improvements in every city and throughout Alameda County, visit <http://www.alamedactc.org/2014Plan> to learn more

Project Fact Sheet

Route 84 Expressway—South Segment | Project Number: 624.2 | September 2014

PROJECT COST ESTIMATE	
Cost Estimate by Phase (\$ X 1,000)	
PE/Environmental	\$ 1,427
Final Design (PS&E)	\$ 7,368
Right-Of-Way Support	\$ 2,632
Right-Of-Way Capital	\$ 27,970
Construction Support	\$ 8,005
Construction Capital	\$ 48,000
TOTAL Expenditures:	\$ 95,402

PROJECT FUNDING	
Funding by Fund Source (\$ X 1,000)	
Measure B (Note 1)	\$ 34,872
Federal	\$ 0
State (STIP-RIP / STIP-TE)	\$ 47,030
Local Other (CMA-TIP)	\$ 2,000
Local (TVTC)	\$ 10,000
Local (City)	\$ 1,500
TOTAL Revenues:	\$ 95,402

Note 1: Total Measure B (MB) commitment for this project includes obligation of \$37.03M to Exchange Program (STIP) in addition to MB amount shown above.

PROJECT SCHEDULE								
Project Phase	Begin - End MM/YY	2011	2012	2013	2014	2015	2016	2017
PE / Environmental	04/05 - 08/08							
Final Design (PS&E)	08/07 - 03/15							
Right-Of-Way	03/08 - 03/15							
Utility Relocation	10/14 - 06/15							
Advertisement / Award	05/15 - 09/15							
Construction	09/15 - 10/17							



Left: Existing conditions at Stanley Union Pacific Railroad Overcrossing. Right: Bike trail near Route 84 Expressway South Segment project area.

Note: The information on this fact sheet is subject to periodic updates.

Attachment 3
COOPERATIVE AGREEMENT
BETWEEN
ALAMEDA COUNTY TRANSPORTATION COMMISSION
AND
CITY OF LIVERMORE

Route 84 Expressway Project – South Segment

This COOPERATIVE AGREEMENT (“**Agreement**”), dated for reference purposes only as of January 23, 2014, is entered into by and between the City of Livermore (“**City**”), a municipal corporation, and Alameda County Transportation Commission (“**Alameda CTC**”), a joint powers agency. This Agreement shall become effective on the date the same is fully-executed by both parties (“**Effective Date**”).

RECITALS

- A. City 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.
- B. The TVTDF fees are divided into the “Eighty Percent Fees” which are allocated by TVTC for projects in the TVTDF Funding Plan, and the “Twenty Percent Fees” a portion of which are available to the City for allocation to projects at its discretion.
- C. The TVTC has identified the Project (defined as Route 84 Expressway from I-580 to I-680) as one of eleven projects which it proposes to fund in part with the “Eighty Percent Fee” portion of the developer fees.
- D. The Project is divided into three Segments; Segment 1 - I-580 to Airway Boulevard, Segment 2 – from Airway Boulevard to Ruby Hills Drive, and Segment 3 – from Ruby Hills Drive to I-680;
- E. Segment 2 is further divided into three phases: Phase 1 – Isabel Avenue/Vineyard Avenue intersection realignment; Phase 2 – Airway Boulevard to West Jack London Boulevard; Phase 3 – West Jack London Boulevard to Ruby Hills Drive.
- F. Phase 3 is further split into two Segments; North Segment – from West Jack London Boulevard to North of Concannon Boulevard; and South Segment – from North of Concannon Boulevard to Ruby Hills Drive.
- G. South Segment is to be funded with \$34.9 million in State Transportation Improvement Program (STIP) funds, \$2.2 million in Federal Transportation Enhancement funds, and the balance in local contributions comprising Measure B, TVTDF funds and Rule 20A funds.
- H. TVTC allocated \$5M out of \$10 million TVTDF funds programmed for the South Segment on October 17, 2013.
- I. Alameda CTC is the implementing agency for preliminary engineering, environmental studies, design, right of way acquisition and utility relocation and California Department of Transportation (“State”) will retain a Contractor and manage and administer construction for the South Segment.

NOW, THEREFORE, THE PARTIES DO HEREBY AGREE AS FOLLOWS:

Section I

Alameda CTC Agrees:

1.1 To oversee environmental clearance, final design, right of way acquisition, utility relocation monitor construction progress, and apply local contribution payments to either Alameda CTC or Consultants, for reimbursement of design, right of way acquisition, utility relocation or construction management costs, or to the State for construction of South Segment, in accordance with Alameda CTC policy.

Section II

City Agrees:

2.1 To transfer \$5 million TVTDF funds to Alameda CTC within 30 days of the execution of this Agreement, and transfer remaining \$5 million TVTDF funds for the South Segment upon allocation by TVTC.

Section III

It Is Mutually Agreed:

3.1 This Agreement 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 Agreement are superseded hereby. No amendment, alteration, or variation of the terms of this Agreement 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.

3.2 Alameda CTC and the City each render their services under this Agreement as independent agencies. None of the agents or employees of either shall be deemed agents or employees of the other.

3.3 Any notice given under this Agreement 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 of confirmation of delivery requested, or by facsimile transmission with voice confirmation or receipt, the parties at the following addresses (or at such other address for a party as shall be specified by like notice):

If to Livermore:


Marc Roberts, City Manager
City of Livermore
1052 S Livermore Ave
Livermore, CA 94550
Facsimile (925) 373-5318

If Alameda CTC:

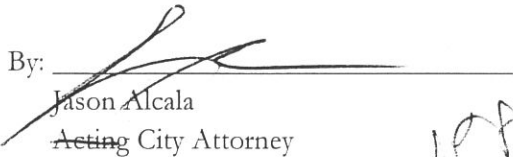
Arthur L. Dao, Executive Director
Alameda County Transportation Commission
1111 Broadway, Suite 800
Oakland, CA 94607
Facsimile: (510) 208-4700

[Signatures on following page]


CITY OF LIVERMORE

By: 
Marc Roberts
City Manager

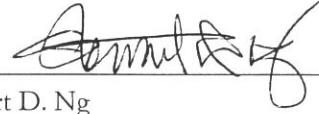
Approved as to Legal Form:

By: 
Jason Alcalá
Acting City Attorney

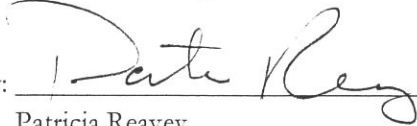
ALAMEDA COUNTY TRANSPORTATION
COMMISSION

By: 
Arthur L. Dao
Executive Director

Recommended:

By: 
Stewart D. Ng
Deputy Director of Programming and Projects

Reviewed as to Budget/Financial Controls:

By: 
Patricia Reavey
Director of Finance

Approved as to Legal Form:

By: 
Wendel, Rosen, Black & Dean LLP
Alameda CTC Legal Counsel

Attachment 4

CONTRA COSTA
24-Hour Tele Banking: 888.400.6324
Client Services: 800.797.6324
www.mechanicsbank.com

2015 JAN -8
Account Number xxxxxx9596

B

DEPARTMENT OF CONSERVATION
AND DEVELOPMENT

TRI-VALLEY
TRANSPORTATION COUNCIL
JAMAR STAMPS / CCC-DCD
30 MUIR RD 2ND FLOOR
MARTINEZ CA 94553-4601

ANALYZED PUBLIC ACCOUNT xxxxxx9596

Your Account at a Glance

Minimum Balance	\$4,645,704.96	Last Statement 11/28/14	\$4,645,704.96
Avg Available Balance	\$4,729,410.83	3 Credits	\$149,452.77
Average Balance	\$4,739,675.70	2 Debits	\$62.00
		This Statement 12/31/14	\$4,795,095.73

Deposits

REF#	DATE	AMOUNT	REF#	DATE	AMOUNT	REF#	DATE	AMOUNT
	12/05	\$94,643.99		12/22	\$53,747.74		12/23	\$1,061.04

Checks

CHECK#	DATE	AMOUNT	CHECK#	DATE	AMOUNT	CHECK#	DATE	AMOUNT
1118	12/09	\$60.00						

(*) INDICATES A GAP IN CHECK NUMBER SEQUENCE

Other Debits

DATE	DESCRIPTION	AMOUNT
12/31	Multiple Statement Fee	2.00

Daily Balance

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
12/05	\$4,740,348.95	12/09	\$4,740,288.95	12/22	\$4,794,036.69

Continued on next page

Please refer to important information on page 2

24-Hour Tele Banking: 888.400.6324
Client Services: 800.797.6324
www.mechanicsbank.com

TRI-VALLEY
TRANSPORTATION COUNCIL
JAMAR STAMPS / CCC-DCD

Account Number xxxxxx9596

ANALYZED PUBLIC ACCOUNT xxxxxx9596

Daily Balance

DATE	BALANCE	DATE	BALANCE	DATE	BALANCE
12/23	\$4,795,097.73	12/31	\$4,795,095.73		

Attachment 5

TRI-VALLEY TRANSPORTATION COUNCIL

PROPOSED FY 2014-15 BUDGET

REVENUES

Transportation Development Project Fees	\$	163,283
FY 14-15 Projected Administrative Fees	\$	42,517
Total Program Revenues:	\$	205,800

EXPENSES

Operating Expenditures

Administrative Support	\$	20,000
Accounting Services	\$	5,000
Audit Services	\$	5,000
Legal Services	\$	7,000
Treasurer Oversight	\$	1,200
Insurance	\$	5,000
Basecamp	\$	600
Banking/Service Charges	\$	500
Website Annual Maintenance	\$	1,500
Subtotal	\$	45,800

Miscellaneous Expense

Website Development	\$	10,000
Nexus Study/Strategic Expenditure Plan Update	\$	150,000
Subtotal	\$	160,000

Total Program Expenditures: \$ 205,800

TRI-VALLEY TRANSPORTATION COUNCIL

RESOLUTION NO. 2015-03

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL
APPROPRIATING \$4.5 MILLION IN TRI-VALLEY TRANSPORTATION
DEVELOPMENT FEE (TVTDF) FUNDS FOR THE STATE ROUTE 84 CORRIDOR
IMPROVEMENT PROJECT A-2a FOR CONSTRUCTION FROM CONCANNON
BOULEVARD TO RUBY HILLS DRIVE**

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 2010, the TVTC prepared and approved an Interim Funding Plan that provides guidance for expenditure of the TVTDF on the remaining three high priority projects; and

WHEREAS, the 2010 TVTDF Interim Funding Plan identifies the State Route 84 I-580 to I-680 Expressway (Project A-2a) as a high priority project; and

WHEREAS, the 2010 Interim Funding Plan programs \$5 million in fiscal year 11/12 and \$5 million in fiscal year 12/13 to State Route 84 I-580 to I-680 Expressway (Project A-2a); and

WHEREAS, sufficient revenue in the Joint TVTDF account is now available for the appropriation of \$4.5 million identified to be funded in fiscal year 12/13 for the SR 84 I-580 to I-680 Expressway (Project A-2a); and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Tri-Valley Transportation Council authorizes an appropriation from the Tri-Valley Transportation Development Fee Account for the State Route 84 I-580 to I-680 Expressway (Project A-2a) of \$4.5 million, as programmed in the Strategic Expenditure Plan and the 2010 TVTDF Interim Funding Plan for fiscal year 12/13. Funds are to be drawn down in accordance with the Strategic Expenditure Plan.
2. The Tri-Valley Transportation Council authorizes the TVTC Treasurer to transmit \$4.5 million in funds in the Tri Valley Transportation Development Fee Account to the City of Livermore, which will, in turn, pass the \$4.4 million in funds through to the Alameda County Transportation Commission, the party responsible for the management and construction of the "State Route 84 - Concannon Boulevard to Ruby Hills Drive" Phase of the project.

PASSED, APPROVED AND ADOPTED at the meeting of January 26, 2015, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Supervisor Candace Andersen, Chair
Tri-Valley Transportation Council

ATTEST:

Jamar Stamps, TVTC Administrative Staff

Item 6.b.

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

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

Subject: Proposed Tri-Valley Transportation Development Fee
Consideration as "Other" Use for Proposed Development in Livermore

Arne Olson
Councilmember
Pleasanton
(925) 200-8579

BACKGROUND

The 2008 Tri-Valley Transportation Council (TVTC) policy, as expressed through the TVTC Action Plan, is that new development shall contribute for mitigation of their impacts on the Routes of Regional Significance and that the cost sharing of recommended improvements be implemented through the Tri-Valley Transportation Development Fee (TVTDF) program. The TVTDF is based on a nexus between increased travel demand from new development on the Tri-Valley regional transportation system and the cost of the improvements needed to accommodate that growth.

Scott Perkins
Councilmember
San Ramon
(925) 973-2530

David Haubert
Mayor
Dublin
(925) 833-6634

The 2008 Tri-Valley Transportation Council Nexus Study (Nexus Study) which determined the TVTDF is based on peak hour trips because peak hour traffic is the controlling factor for determining traffic mitigation requirements for new development. The maximum fee schedule is derived by multiplying the cost per peak-hour-trip by the average of the AM and PM peak hour trip generation for each land use type.

Newell Arnerich
Councilmember
Danville
(925) 314-3329

The City of Livermore received an application from a developer for a manufacturing project and requested consideration for the TVTDF as an "other" use rather than an "Industrial" use based on their intent to use shift work.

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

As indicated in the Nexus Study, industrial land use projects generate 0.89 average AM & PM peak hour trips per 1,000 square feet. The current fee rate for industrial land use is \$2.95 per square foot.

The "other" use category is intended for land uses that do not fit the standard residential, commercial, or industrial categories. In the case of "other" uses, the Institute of Transportation Engineers Trip Generation Manual (ITE Manual) is used as the guide to determine trip generation. If there is no guidance in the ITE Manual then a trip generation study may be required. Per the Nexus Study,

“other” uses are charged based on the cost per peak-hour trip times the number of peak hour trips generated. The current cost per peak-hour trip is \$2,433.

DISCUSSION

The City of Livermore received a development application to construct an approximately 506,000 square foot manufacturing facility on a 38+ acre site in the Oaks Business Park in western Livermore. The facility currently operates in another location in California and is considering relocating to Livermore and maintaining their existing shift work schedule. Currently, and as proposed in Livermore, all employees arrive at work prior to 7am with most arriving prior to 5am. This also includes a small number of second shift employees who start work at 2pm and finish at 10:30pm. There are no scheduled employees going to and from work during the 7-9am morning commute, or the 4-6pm evening commute. A driveway count conducted on November 20, 2014 indicated a total of 42 vehicles entering/exiting between 8-9am and 29 vehicles entering/exiting between 4:45-5:45pm for an average of 36 peak-hour trips (Attachment 1).

The City received a request from the applicant to base their TVTDF on the “other” use category and the anticipated amount of peak hour trips for the development. Because it will continue the use of shift work outside of the peak hours, the proposed project will generate significantly less peak-hour trips (36 trips) than a similarly sized typical industrial development (450 trips). If approved as an “other” use the project would pay approximately \$87,588 for the TVTDF.

The City of Livermore agreed to base the City’s Traffic Impact Fee on the 36 peak-hour trip average for this development.

The applicant has agreed to record an agreement and lien against the property which guarantees additional TVTDF and City Traffic Impact Fees will be paid if circumstances change and the project generates additional peak-hour trips or if the property is sold (Exhibit A of Resolution).

This proposal was discussed by the TVTC TAC at the December 1st and January 5th TAC meetings and received unanimous support.

RECOMMENDATION

APPROVE TAC recommendation to apply the TVTDF for the proposed Gillig Corporation Facility in Oaks Business Park based on the “other” land use category, as defined by the 2008 TVTC Nexus Study, using the proposed project’s estimated peak-hour trip rate, in-lieu of the “industrial” land use category fee rate, contingent upon the successful execution of the “delayed obligation” property agreement (Exhibit A).

ATTACHMENT

1. Trip Generation Study
2. Resolution with Exhibit A - Draft Agreement for Delayed Obligation of Impact Fees



MEMORANDUM

Date: January 5, 2015

To: Community Development
Department , City of Livermore

From: Chris D. Kinzel

Subject: Traffic Generation for Proposed Gillig Corporation Facility in Oaks Business Park

TJKM has been asked to prepare a traffic generation analysis for the proposed Gillig Corporation manufacturing facility to be located in Oaks Business Park.

Proposed Gillig Corporation Trip Generation

Calculated

Gillig currently operates a manufacturing facility in Hayward and is expected to move the entire operation to the Oaks Business Park. The current and proposed facility contains 767 employees. There are six vanpools and 45 carpools such that employees produce an estimated 668 trips coming to work and the same number departing. All employees arrive at work prior to 7 a.m. with most (552) arriving prior to 5 a.m. These numbers include a small second shift with 15 employees who start work at 2 p.m. and finish at 10:30 p.m. There are no employees scheduled to go to and from work during the 7 to 9 a.m. morning commute or the 4 to 6 p.m. evening commute. The chart below depicts the current Hayward and the proposed Oaks work schedule for the Gillig Corporation.

	<u>Start - Finish</u>	<u># of Employees</u>
Production Employees 1st Shift	5:00AM - 1:30PM	552
Production Employees 2nd Shift	2:00PM - 10:30PM	15
Office Employees	5:00AM - 2:00PM	30
Office Employees	6:00AM - 3:00PM	135
Office Employees	6:30AM - 3:30PM	35
Peak Hours (Production or Office)	> 7:00AM & >4:00PM	0
Total Employees @ Livermore Facility		767

The manufacturing facility does receive an estimated 164 trucks per week, producing 328 trips or 66 per day. During the 7 to 9 a.m. period an estimated 33 truck deliveries are made, producing 66 trips or 14 per day. Thus, the calculated total number of peak hour trips generated by the site is 14 trips.

Field Measurements

To determine actual, not calculated, traffic counts, TJKM conducted field measurements of all arriving and departing vehicles at the existing Gillig Corporation facility located at 25800 Clawiter Road in Hayward. The vehicle counts were separated into three categories: cars, trucks and buses.

TJKM counted during the 7 to 9 a.m. period and the 4 to 6 p.m. period since these are the most important hours for determining peak hour traffic impacts and for calculating traffic fees.

As shown in Table I, the actual a.m. peak hour total traffic was 42 vehicles while the actual p.m. peak hour total traffic was 29 vehicles. The average of the two peak hours was 36 vehicles. TJKM assumes that some of the passenger car vehicles were visitors, particularly in the morning peak since the facility begins operating early. There was a higher than predicted number of trucks -- 38 actual vs. 14 predicted and three Gillig buses were counted.

For the purposes of calculating traffic fees, TJKM assumes that the average of 36 vehicles is appropriate to use for both the City of Livermore and the Tri Valley traffic fees. This assumption is based on the retention of the current working hours in which no employees are scheduled to arrive or depart during the a.m. or p.m. two-hour peak periods.

Trip Generation for Generic Manufacturing Uses

If a generic manufacturing facility were to move into the Oaks Business Park site with 767 employees, trip rates would be determined by using the Institute of Transportation Engineer's publication, *Trip Generation, 9th Edition*. The appropriate land use category is 140, Manufacturing. Trip rates for this category are 2.13 trips per employee per day, 0.40 trips in the a.m. peak hour and 0.36 trips per employee in the p.m. peak hour. Using these trip rates, there would be 1,634 daily trips, 307 a.m. trips and 276 p.m. trips. The generic p.m. rate of 276 trips is 9.5 times greater than the actual Gillig measurement of 29 trips; the average of the a.m. and p.m. generic rates of 292 trips is 8.1 times higher than the actual Gillig measurement of 36 trips.

Trip Generation for Uses Permitted by Oaks EIR

At this site, the City approval of the Oaks Business Park allocated 82 daily vehicular trips per acre. The proposed Gillig site consists of 38.42 net acres, yielding a daily trip entitlement of 3,150 trips at 82 trips per acre. To determine a comparable peak hour rate TJKM consulted the Institute of Transportation Engineer's publication, *Trip Generation, 9th Edition*. TJKM factored the 82 daily trip rate by the proportion of peak hour to daily trip rates for ITE category 150, Warehousing, which is intended to be the predominant land use category for Oaks Business Park. The peak hour trip rates are 6.83 trips per acre in the a.m. peak hour and 7.29 trips per acre in the p.m. peak hour. This yields 263 a.m. trips and 280 p.m. trips for the Phantom site. The average of the a.m. and p.m. trips is 272 trips. Both the a.m. and p.m. rates, and their average, are similar to the generic rates described in the previous paragraph and considerably higher than what are expected by the Gillig site.

The rates in the above two paragraphs assume that employees arrive and depart work during conventional employment hours. However, the Gillig Corporation has no scheduled employee trips during the peak periods and only produces an average of 36 peak hour trips in the a.m. and p.m. peaks.

Let me know if there are questions about this analysis.

Table 1 -- Gillig Driveway Weekday Counts

Counts Conducted 11/20/2014 at 25800 Clawiter Road, Hayward, CA 94545

AM

Time	Cars		Trucks		Buses		Total		
	in	out	in	out	in	out	in	out	total
7:00 - 7:15	3	0	3	0	0	1	6	1	7
7:15 - 7:30	0	1	3	2	1	0	4	3	7
7:30 - 7:45	1	2	1	2	0	2	2	6	8
7:45 - 8:00	4	0	3	4	0	0	7	4	11
8:00 - 8:15	2	1	0	3	1	0	3	4	7
8:15 - 8:30	1	3	1	3	0	0	2	6	8
8:30 - 8:45	3	4	2	3	1	1	6	8	14
8:45 - 9:00	2	1	6	4	0	0	8	5	13
2-Hour Total	16	12	19	21	3	4	38	37	75
A.M Peak Hour Total									42

PM

Time	Cars		Trucks		Buses		Total		
	in	out	in	out	in	out	in	out	total
4:00 - 4:15	1	6	0	0	0	0	1	6	7
4:15 - 4:30	0	2	1	1	0	0	1	3	4
4:30 - 4:45	1	2	0	1	0	0	1	3	4
4:45 - 5:00	2	3	0	4	0	0	2	7	9
5:00 - 5:15	2	1	0	4	0	0	2	5	7
5:15 - 5:30	0	3	0	4	0	0	0	7	7
5:30 - 5:45	1	1	0	4	0	0	1	5	6
5:45 - 6:00	0	2	0	4	0	0	0	6	6
2-Hour Total	7	20	1	22	0	0	8	42	50
P.M. Peak Hour Total									29

 Peak Hour

TRI-VALLEY TRANSPORTATION COUNCIL

RESOLUTION NO. 2015-04

**A RESOLUTION OF THE TRI-VALLEY TRANSPORTATION COUNCIL
APPROVING THE CHARGING OF A TRI-VALLEY TRANSPORTATION
DEVELOPMENT FEE BASED ON THE "OTHER" USE FEE CATEGORY FOR A
PROPOSED DEVELOPMENT IN THE CITY OF LIVERMORE**

WHEREAS, the Tri-Valley Transportation Council (TVTC) oversees the Tri-Valley Transportation Development Fee (TVTDF); and

WHEREAS, the 2008 Tri-Valley Transportation Council Nexus Study determined that the TVTDF is based on peak- hour trips because peak hour traffic is the controlling factor for determining traffic mitigation requirements; and

WHEREAS, the City of Livermore (City) received application SPDR14-018 from Ware Malcomb (Applicant) to build a manufacturing facility (Facility) on property owned by Arkay Properties, LLC (Owner) and Owner requested consideration as an "other" use rather than an "industrial" use based on their intent to use a shift work schedule; and

WHEREAS, the "other" use category is intended for land uses that do not fit the standard residential, commercial, or industrial categories; and

WHEREAS, Owner's operation is currently located in another jurisdiction and operates under a shift work schedule where all employees arrive at work either (1) prior to 7:00 am with the majority of employees arriving prior to 5:00 am or (2) at 2:00 pm and work until 10:30 pm; and

WHEREAS, a trip generation study conducted at Owner's current location on November 20, 2014 indicated a total of 42 vehicles entering/exiting between 8:00-9:00 am and 29 vehicles entering/exiting between 4:45-5:45 pm for an average of 36 peak-hour trips; and

WHEREAS, due to the use of a shift work schedule, the proposed Facility will generate significantly fewer peak-hour trips than a similarly-sized typical industrial development; and

WHEREAS, Owner has agreed to enter into an agreement ("Agreement") with the City that will be recorded against the property whereby if commute conditions at the Facility change, such that the Facility generates more than 36 peak-hour trips or the property is sold, then Owner will pay additional fees in accordance with the terms of the Agreement; such Agreement will be substantially in the form of the attached Exhibit A.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Tri-Valley Transportation Council approves charging Owner a TVTDF for the proposed Facility based on the “other” land use category rather than the “industrial” land use category.
2. This approval is contingent upon the City and Owner entering into an Agreement that will be recorded against the property, substantially in the form of the Agreement attached hereto as Exhibit A.

PASSED, APPROVED AND ADOPTED at the meeting of January 26, 2015, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Candace Andersen, Chair
Chair, Tri-Valley Transportation Council

ATTEST:

Jamar Stamps, TVTC Administrative Staff

EXHIBIT A

Recorded by and When Recorded Return to:
City Clerk, City of Livermore
1052 South Livermore Avenue
Livermore, CA 94550

AGREEMENT FOR DELAYED OBLIGATION OF VARIOUS CITY DEVELOPMENT IMPACT FEES DUE UPON THE CHANGE IN OPERATION OF FACILITY

This Agreement is entered into on _____, 2015 between the City of Livermore, a municipal corporation (City) and Arkay Properties, LLC (“Property Owner” or “Owner”).

Recitals. This Agreement is based on the following facts:

A. Property Owner owns real property in the City of Livermore, Alameda County, located at xxx Discovery Drive (Parcel 15 of PM 8470, Parcels 4 and 5 of PM 10256; APN: 904-xxx-xxx) and described more specifically in Exhibit A attached (the “Property”).

B. Property Owner has applied for a building permit, TI15xxx, to construct a Warehouse and Manufacturing Facility at the Property. The facility will be built to accommodate a warehouse use which has 0.48 peak-hour trips per 1,000 square feet and parking of no more than one per 1,000 square feet. The total building square footage is 506,000 square feet.

C. Property Owner has an existing facility in Hayward, CA. TJKM performed a trip generation study of the existing facility and determined that it generates 36 peak-hour trips per day (AM and PM average). Property Owner plans to operate the Livermore facility the same as their existing facility, with no more than 36 peak-hour trips per day on average. All other trips will occur during non-peak hours.

D. The Traffic Impact Fee (TIF), Park Facilities Fee (Park Fee) and Tri-Valley Transportation Development Fee (TVTD) based upon 36 peak-hour trips per day are calculated as follows:

- TIF = \$9034 per peak-hour trip x 36 peak-hour trips = \$325,224
- Park Fee = \$1196 per peak-hour trip x 36 peak-hour trips = \$43,056
- TVTD = \$2433 per peak-hour trip x 36 peak-hour trips = \$87,588

E. Owner has agreed to enter into a Deferred Development Impact Fee Agreement with the City because of the potential for the project to generate more than 36 peak-hour trips or for the property to be sold. Owner shall submit to the City of Livermore Engineering Division an annual report which summarizes current peak-hour trips and shift operations. At the request of the City, owner shall submit a trip generation study to the City. Additionally, in the event of a mid-year

change in peak-hour trips, Owner shall have 30 days to notify the City and identify current peak-hour trips.

F. If, in the future, Owner changes the operation of the facility to generate more than 36 peak-hour trips Owner shall pay the additional fees due based on the additional peak-hour trips. If the owner sells the property or if peak-hour trips reach 30% or more of the average daily peak-hour rate for the TIF and Park Fee warehouse use and TVTD industrial use then the Property Owner shall then be obligated to pay the full fees (pursuant to LMC Chapter 12.30, Chapter 12.60, and Resolution 2003-752) based upon the square footage of building area at the time increased peak-hour trips. The amount due shall be based on the amount of the fees in effect at the time. As a result, the only development impact fees generated with building permit TI15XXX that are subject to this agreement are those listed in Section D.

G. As required by the Metropolitan Transportation Commission and the Bay Area Air Quality Management District (BAAQMD), all businesses with over 50 employees must register for the Bay Area Commuters Benefit program and submit an annual report. A copy of this annual report must also be sent to the City of Livermore Engineering Division within 30 days of submittal to BAAQMD.

NOW, THEREFORE, the parties agree as follows:

1. The Property. The Property which is the subject of this Agreement is that described in paragraph A above.
2. Payment of Current Fees. The Developer shall pay Traffic Impact, Park Impact, and Tri-Valley Transportation Development Impact fees based upon 36 peak-hour trips. The fee amounts listed in Section D are due with the other development impact fees prior to issuance of building permit TT15XXX.
3. Payment of Deferred Fees. If, in the future, Owner changes the operation of the facility to generate more than 36 peak-hour trips Owner shall pay the additional fees due based on the additional peak-hour trips. If the owner sells the property or if peak-hour trips reach 30% or more of the average daily peak-hour rate for the TIF and Park Fee warehouse use and TVTD industrial use then the Property Owner shall then be obligated to pay the full fees (pursuant to LMC Chapter 12.30, Chapter 12.60, and Resolution 2003-752) based upon the square footage of building area at the time of increased peak-hour trips. The amount due shall be based on the amount of the fees in effect at the time. Owner shall have 30 days to notify the City and pay the fees due from date of increased peak-hour trips as defined above.
4. Permission to Lien Property. The Property Owner is improving the Property for use as a warehouse with operations that have the potential to exceed 36 peak-hour trips. In the event of an increase from 36 peak-hour trips, the Property Owner shall have 30 days to notify the City and pay the fees due from date of increased peak-hour trips as defined above. Property Owner authorizes the City to place a lien on the property to cover any unpaid amount, after written notice to the Property Owner if payments are delinquent 60 days or more.

4. Escrow. Upon the opening of any escrow for the sale of the Property, the Property Owner shall provide appropriate notification and escrow instructions that the deferred fees are to be paid to the City from the sale proceeds in escrow before disbursing proceeds to the seller.

5. Recordation; Binding Effect. This Agreement shall be recorded in the office of the County Recorder (in the grantor-grantee index, with Property Owner as grantor and City as grantee), and shall be binding upon and inure to the benefit of successors in interest to the parties. Where there is more than one Property Owner, the obligations are joint and several.

6. Release of obligation. When the payment obligation is paid in full, the City shall record a release of obligation, signed by the Community and Economic Development Director.

7. Legal Action; Attorney's Fees. If there is any legal action to enforce this Agreement, the prevailing party is entitled to attorney's fees and related court costs.

IN WITNESS WHEREOF, the parties have signed this Agreement on the dates indicated below.

PROPERTY OWNER

By: _____ * Date: _____

Title (if Property Owner is a legal entity): _____

By: _____ * Date: _____

Title: _____

CITY OF LIVERMORE

By: _____ Date: _____

Stephan Kiefer, Community and Economic Development Director

Attest: _____

City Clerk

Approved as to form: _____

City Attorney

* Notary acknowledgment required. If the Property is owned jointly, both owners must sign. If the Property is owned by a partnership or corporation, the City requires proof of authorization for the person signing.

Exhibit A Property Description

For staff use only: Date of building permit _____

Revised: 12/1/02

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Exhibit A
Property Description

(Attach legal description of the Property, not the address or assessor's parcel number.)