



ALAMEDA-CONTRA COSTA TRANSIT DISTRICT

Master Minute Order

File Number: 20-335

Report ID: 20-335

Type: Regular - Board
Administrative Matters

Status: Direction Given

**Agenda
Section:**

Meeting Body: Board of Directors -
Regular Meeting

Report Created: 05/14/2020

Final Action: 09/09/2020

ded Action: Consider providing direction to the District's representative on the Alameda County Transportation Commission (ACTC) regarding the ACTC vote on an amendment to Measure BB, which would replace the BART-to-Livermore extension project with Valley Link as the recipient of \$400 million in Measure BB funds.

Sponsors:

Enactment Date:

Attachments: STAFF REPORT, Att.1. ACTC Memorandum - Valley Link Amendment, Att.2. Staff Comment Letter, Red Folder:
5.1_PPLC_Valley-Link-TEP-Amendment_20200914
(1), Red Folder: Letter from Sierra Club

Enactment Number:

Hearing Date:

Effective Date:

History of Legislative File

Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
Board of Directors - Regular Meeting	09/09/2020	Direction given				Pass
Action Text:	MOTION: WALLACE/HARPER to direct the District's representative on the Alameda County Transportation Commission to vote no on the proposed amendment to Measure BB, which would replace the BART-to-Livermore extension project with Valley Link as the recipient of \$400 million in Measure BB funds. The motion carried by the following vote:					
Notes:	Vice President Ortiz introduced the item and called on Director of Service Development and Planning Robert del Rosario to present the staff report. Also introduced were the Executive Director of the Alameda County Transportation Commission Tess Lengyel and the Executive Director of Valley Link Mark Tree.					
	Director Shaw commented that the she supported the effort in concept, but believed it provided a greater benefit to San Joaquin County than it did Alameda County and questioned a sizable Alameda County investment in the project before San Joaquin County shows its commitment to the project in terms of funding. She suggested that a decision on the project be delayed until such time as San Joaquin County can come					

up with its share of the money.

Director Harper inquired if the action by the ACTC would require a weighted vote. Ms. Lengyel advised that it would require a weighted vote of the full Commission with two-thirds approval to pass.

Director Harper questioned the legality of using money for a dedicated project that would exclusively serve Alameda County residents and shift it to a project that would mostly serve San Joaquin County. Ms. Lengyel responded that it was specific in the amendment and the Measure BB Expenditure Plan that the money would be exclusively used in Alameda County. She added that one-third of the users of the service would live in Alameda County, noting that the Tri-Valley was one of the fastest growing areas in the Bay Area. Mr. Tree elaborated on the specifics of the project, noting that it would primarily serve people working in Oakland and San Francisco.

President Wallace commented that a lot of transportation measures do not pass because voters see their money being spent on projects that do not benefit their community. He added that he would not support it.

Director Peeples commented that the money should be spent on funding bus purchases that would allow Wheels to meet California's Innovative Clean Transit Rule as well as other transit agencies that are desperately short on funding. He believed the money was being thrown away to support developers in the Central Valley. He also believed the project would largely benefit people who live in San Joaquin County and work in Santa Clara. He was highly skeptical of the project noting that it was duplicative service to ACCE and was not environmentally sound and urged the District's representative on the ACTC to vote against it.

Director Williams asked what would happen to the money if the ACTC did not approve the transfer of funds. Ms. Lengyel advised that it would be up to the Commission on how to reallocate the money.

Public Comment:

Hayden Miller commented in support of the transfer funds for Valley Link, saying that the corridor is too congested.

Patricia Piras commented that the information presented by the ACTC is not accurate, that some information has been withheld, and that the Sierra Club urges that the Board to direct Commissioner Ortiz to vote the amendment down. A better study on the use of the funds was needed for the benefit of the people of Alameda County.

Yvonne Williams, President of ATU Local 192, agreed with the opposition to the project and any amendment to Measure BB that would allocate funds to the project, recollecting how hard ATU worked to get the measure passed in Alameda County. She added that other transit alternatives were available and should be explored and that greater revenue support was needed from San Joaquin County.

Victoria Fierce commented that the State legislature passed AB 758 in 2017, which stated that the money for the BART Extension could go to Valley Link if the BART Extension did not go through. Fierce believed she was discussing and voting on something that would have no impact due to the wording of AB 758. [Pat Pirus advised the Board that there is no requirement that voter-imposed taxes in Alameda County be spent on Valley Link and that an attempt to make this provision part of the Bill was voted down.]

Dave Campbell, Bike East Bay, advised that State law does not trump Measure BB and asked for information about linkage to Lathrop. In addition, clarification was also requested as to how project funds are designed for spending related to how San Joaquin and Alameda Counties receive funds.

To the comments, Ms. Lengyel responded that Measure BB was for Alameda County projects and the approved Expenditure Plan called for one rail extension to Isabel Avenue (Highway 84). No Alameda County money would be used to support the extension of a rail project to San Joaquin County. She also addressed funding questions with regard to pass-throughs.

Ayes: 7 Vice President Ortiz, President Wallace, Director Harper, Director Williams, Director Peebles, Director Young, Director Shaw
