



## **SPECIAL MEETING OF THE EAST BAY BUS RAPID TRANSIT POLICY STEERING COMMITTEE**

**Alameda-Contra Costa Transit District**

**General Offices**

**1600 Franklin Street**

**2nd Floor Board Room**

**Oakland, CA 94612**

**Thursday, July 9, 2015**

**2:00 p.m.**

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### **Rules for Public Comment:**

Speakers wishing to address the Committee should complete a Speaker's Form and submit it to the District Secretary. Speakers wishing to address subjects not listed on this agenda will be invited to speak under the "PUBLIC COMMENTS" section of the agenda. Speakers wishing to address a specific agenda item will be invited to address the Committee at the time the item is being considered. All speakers should limit their comments to two (2) minutes.

Individuals who wish to present more detailed information are encouraged to submit comments in writing. Written comments are made part of the written record for meetings and, as such, are available for public inspection.

**Availability of Agenda Related Materials:** Written agenda related materials for all regular meetings are available to the public 72 hours prior to the meeting or at the time the materials are distributed to a majority of the Committee.

Written materials presented at a meeting by staff or a member of the Committee will be available to the public at that time, or after the meeting if supplied by an outside party. Agenda related materials are available on the District's website or by contacting the District Secretary.

### **Order of Agenda Items:**

The Committee may discuss any item on the agenda and in any order.

### **Electronic Devices:**

Use of electronic devices (cellular phones, pagers and/or walkie-talkies) during meetings is prohibited.

**Scented Products:** Please refrain from wearing scented products as there may be attendees susceptible to environmental illnesses.

### **Accessible Public Meetings:**

Meetings of the Committee are accessible to individuals in wheelchairs. The Board room is equipped with assistive listening devices for individuals with a hearing impairment. Written materials in appropriate alternative formats or disability related modification/accommodation must be made three business days in advance of the meeting to help ensure availability. Subject to availability, sign language and foreign language interpreters will be provided upon request with 72-hour notice.

### **Contact Information:**

Please direct requests for disability-related modification or accommodation and/or interpreter services to Linda A. Nemeroff, District Secretary, 1600 Franklin Street, Oakland, California, 94612 or call (510) 891-7201.

# Special Meeting of the East Bay Bus Rapid Transit Policy Steering Committee

## AGENDA

Thursday, July 9, 2015

2:00 p.m.

2<sup>nd</sup> Floor Board Room

1600 Franklin Street

Oakland, CA 94612

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### PSC Members:

#### **AC Transit:**

Director Elsa Ortiz, Chair

President Greg Harper

Director Joel Young

#### **Alameda County (Ex Officio):**

Supervisor Nate Miley

#### **Metropolitan Transportation Commission/Caltrans:**

District Director Bijan Sartipi

#### **City of Oakland:**

Council Member Noel Gallo

Council Member Rebecca Kaplan

#### **City of San Leandro:**

Mayor Pauline Cutter

Council Member Corina Lopez

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1. Roll Call
  2. Public Comment For Items Not on the Agenda (two minutes are allowed for each speaker)
  3. Chair's Report on pertinent actions of the AC Transit Board of Directors
  4. Consider approving the East Bay Bus Rapid Transit (BRT) Policy Steering Committee minutes of March 24, 2014 and September 30, 2014.

### Information Items:

5. Key Program Activities
  - DOT Local Hire Pilot Program
  - Business Impact Mitigation Plan and Funding
  - Oakland Parking Improvement Plan
  - Program Schedule and Budget
6. BRT Project Update
  - Bid Package 1 – Utility Relocation
  - Bid Package 2 – Parking Mitigation Lots and Fruitvale Bypass
  - Bid Package 3 – Major Roadway, Systems, Landscaping and Station Construction
7. Confirm date and time of next meeting
8. Future Agenda Items/Review List of Pending Items
9. Adjournment

**Pending List of Future Agenda Items:**

- Update on station sponsorships [Discussion continued to a future meeting]
- Discussion concerning the development of a transit pass incentive program and outreach to senior facilities regarding a bulk pass similar to the Eco Pass, but for the senior community. [Requested by Councilmember Kaplan]
- Discussion at the staff level and at the Policy Steering Committee of the trade-offs associated with the next level of engineering in the event there is not enough money in the budget to do everything that the cities want, i.e. mitigations, access issues, streetscape improvements, bulb-outs, etc. Decisions on trade-offs can be prioritized based on available funding. [Requested by Councilmember Kaplan]

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**Special Meeting: East Bay Bus Rapid Transit  
Policy Steering Committee**



## **MINUTES**

**Monday, March 24, 2014**

**10:00 a.m.**

2<sup>nd</sup> Floor Board Room  
1600 Franklin Street  
Oakland, CA 94612

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**PSC Members:**

***AC Transit Board:***

Director Elsa Ortiz, Chair  
President Greg Harper  
Director Joel Young

***Alameda County (Ex Officio):***

Supervisor Nate Miley

***Metropolitan Transportation Commission/Caltrans:***

District Director Bijan Sartipi

***City of Oakland:***

Councilmember Noel Gallo  
Councilmember Rebecca Kaplan

***City of San Leandro:***

Councilmember Michael Gregory  
Councilmember Pauline Cutter

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**The East Bay Bus Rapid Transit Policy Steering Committee held a special meeting on Monday, March 24, 2014. The meeting was called to order at 10:06 a.m. with Chair Ortiz Presiding.**

### **1. Roll Call**

**Committee Members Present:**

Director Elsa Ortiz, Chair  
President Greg Harper  
Director Joel Young  
Councilmember Michael Gregory  
Councilmember Pauline Cutter  
Councilmember Noel Gallo  
Councilmember Rebecca Kaplan

**Committee Members Absent:**

Supervisor Nate Miley  
Caltrans District Director Bijan Sartipi

**AC Transit Staff Present:**

General Manager David J. Armijo  
Interim General Counsel Denise Standridge  
District Secretary Linda Nemeroff  
Chief Planning and Development Officer Dennis Butler  
Director of BRT David Wilkins

Senior Project Manager Rama Pochiraju  
Director of Procurement and Materials Jon Medwin  
Accessible Services Manager Mallory Nestor-Brush

**2. Public Comment**

There was no public comment offered.

**3. Chair's Report on pertinent actions of the AC Transit Board of Directors.**

Chair Ortiz reported on the following actions/activities which occurred since the last Policy Steering Committee meeting:

- The remaining increment of federal funding, \$27 million, was included in the President's budget.
- The Small Starts Grant application was submitted as scheduled and is under FTA review. Once approved, BRT funding will be totally committed. Approval is anticipated in the fall of 2014.
- Negotiations are underway with property owners of the parcels required for the project.
- In the next month, the BRT Project 65% design for the major construction package will be released and will include the Parking Impact Mitigation Plan and Business Impact Plan.
- Once the design is released, cities, Caltrans and the public at large will have the opportunity to review, comment and further guide the design of the project.

**Action Items (Recommendations to the AC Transit Board of Directors):**

**4. Consider approving the East Bay Bus Rapid Transit (BRT) Policy Steering Committee minutes of January 27, 2014.**

MOTION: HARPER/KAPLAN to approve the minutes as presented. The motion carried by the following vote:

AYES:6: Harper, Kaplan, Cutter, Gallo, Gregory, Ortiz

ABSTAIN:1: Young

ABSENT:2: Miley, Sartipi

**5. Consider recommending award for the lead artist(s) for the East Bay Bus Rapid Transit Project.**

Senior Project Manager Rama Pochiraju presented the staff report, recommending the selection of Concept Option 4 with Johanna Poethig from Oakland and Mildred Howard from Berkeley as the lead artist team, and Joyce Hsu and Peter Richards as the support team. He added that staff's recommendation involved both the selection of the artist and the concept, explaining that the lead artist will conduct three community meetings to receive input and to refine their concept.

Members of the Committee embraced the idea of using community meetings to receive input on to how to make the stations reflect the culture of the different locations along the corridor. A concern was raised that the end product could be very different from what was originally intended; however, Mr. Pochiraju explained that the selection panel chose the design concept

given the budget constraints imposed by the project, and that the panel believes the concept can be successful. He added that all thirty-four stations will have artistic treatments; however, six of the stations will get enhanced treatments.

Councilmember Cutter and Director Young commented that the recommended artist team was not their first choice. Discussion ensued regarding the process used by the selection panel in processing the forty-one submittals down to seven as well as the procurement process. Mr. Pochiraju explained that the Technical Assistance Committee, consisting of two District representatives, a representative from each city, an architect and an urban and landscape design consultant, evaluated the submittals from a technical standpoint and on the responses provided to the Committee's questions. He added that the availability of the lead artists and the samples submitted were also considered. He further stated that the committee's recommendation to the selection panel was to select up to three of the seven lead artists.

Director of Procurement and Materials Jon Medwin added that the FTA's Request for Qualifications (RFQ) methodology was used in this process. He explained that the RFQ process was used because the art is being integrated into the design of the project. He further explained that the RFQ stated that the panel would select seven semi-finalists as part of the evaluation process to provide a significant number to allow for 1-3 to be recommended for award. He stated that the Technical Assistance Committee submitted the top seven of the 41 that were deemed to be responsive and responsible.

Director Young noted that only one local artist responded and questioned how an artist from Cambridge would be able to conduct community outreach and understand what the community is about. Mr. Medwin responded that the RFQ was a national call for artists and that under FTA requirements, geographic preference could not be included. Mr. Pochiraju emphasized that geographical restrictions or locations were never a preference, stating that the Technical Assistance Committee considered the artists' response to the questions, the lead artist's availability to conduct community outreach and refine of the design, their familiarity and how they work nationwide with other communities. Mr. Medwin stated that staff would follow up with a report indicating the composition of the remaining thirty-four. He reiterated that as this is an FTA funded procurement and geographic preference could not be added to the RFQ.

Councilmember Kaplan offered a motion for staff's recommendation (Concept Option 4), including direction to solicit and include local input but in keeping with the base design. She added that the selection is maintainable and did not have extra odd structures that would impede accessibility. Mr. Pochiraju advised that all the design submittals met the Americans with Disabilities Act requirements.

Councilmember Gallo offered his support for the motion however stated in the future he would like to make sure there is a local presence.

Chair Ortiz stated that she did not support the selection of Option 4, as she preferred Option 3.

Director Young stated he was not comfortable making a decision based on the information presented and would oppose the motion.

Councilmember Cutter stated that she preferred Option 3 as it brought neighborhoods to the station, and requested information on the panels reasoning in selecting Option 4 over 3. Mr. Medwin advised that at the end of the evaluation process, there was consensus by the entire group of the evaluators to select Option 4.

MOTION: KAPLAN/GALLO to recommend award to Johanna Poethig and Mildred Howard as the lead artists for the East Bay Bus Rapid Transit Project, including direction to provide opportunity for local input, particularly in San Leandro, and keeping the base design of Concept Option 4. The motion carried by the following vote:

AYES:5: Kaplan, Gallo, Cutter, Harper, Gregory

NOES:2: Young, Ortiz

ABSENT:2: Miley, Sartipi

6. **Consider recommending adoption of a resolution designating the Policy Steering Committee as the East Bay Bus Rapid Transit Policy Advisory Committee and clarifying its purpose and membership.**

District Secretary Linda Nemeroff presented the staff report, noting that changes in the Committee's designation and compensation were needed as the role of the Committee had evolved from strategic, direction setting to advisory. In addition, the composition needed updating to make official some informal changes that had occurred over time, including the merger of two representative agencies on the Committee into one.

Officials from the City of Oakland opposed the change in the designation of the Committee from steering to advisory on the basis that the BRT project had a tremendous impact on the City and stakeholders, emphasizing that there were significant policy decisions yet to be made, such as how bus only lanes are going to be enforced. Councilmembers Gallo and Kaplan felt the Committee should be retained as a steering committee and suggested that the item be continued due to concerns raised by City staff and stakeholders.

The matter was retained in committee for further discussion. No action was taken.

#### **Information Items:**

7. **Consider receiving an update on communications with the BRT Access and Functional Needs Subcommittee [Requested by Councilmembers Gallo and Kaplan] – *Information***

Accessible Services Manager Mallory Nestor-Brush presented the staff report.

MOTION: KAPLAN/CUTTER to receive the report. The motion carried by the following vote:

AYES:7: Kaplan, Cutter, Gallo, Gregory, Harper, Young, Ortiz

ABSENT:2: Miley, Sartipi

The item was presented for information only.



## **8. Consider receiving BRT Project Update – Information**

BRT Director David Wilkins presented the staff report.

Councilmember Cutter requested additional clarification regarding previous statements by District staff regarding the repaving to the BART station and the subsequent restriping.

Mr. Wilkins stated that the complete street paving goes to Bellevue and after that is striping. He added that District staff can work with city engineering staff to highlight the paving projects, beyond Bellevue all the way to the BART station. There will be a limited amount of repaving around where the station platforms are to be constructed for the curb side station because constructing the concrete bus pads will result in some repair to the existing pavement. He added that the striping will be done to accommodate the realignment of the corridor.

Councilmember Gallo commented that merchants and neighbors in his area continue to raise questions about the project. He referenced statements in a report (brochure) presented by the Eastlake Merchants Association, San Antonio Merchants and East Bay Youth Center regarding a bus only lane, raised platform bus stops in the middle of the street, the elimination of a traffic lane, and the elimination of 400 to 500 parking spaces on International Boulevard, etc. He urged staff to respond to these concerns as the project continues. Mr. Wilkins advised that staff will address the issues as they relate to his district in particular when they meet with Councilmember Gallo in the afternoon.

In addition, Mr. Wilkins advised that while he had not seen the brochure, a lot of the statements are framed to present an adverse impact to large areas in these neighborhoods. He added that there are certain areas along the corridor with a high displacement of parking; however, there is relocation to an arterial street and there are many consecutive blocks with minimal impact, which in accordance with the methodology developed in the final environmental impact statement, allows the project to move forward. Mr. Wilkins assured Councilmember Gallo that he would come away from their afternoon discussion with a much better understanding of what is being proposed for his district.

Councilmember Kaplan offered congratulations on the progress with the FTA. Mr. Wilkins noted that the FTA also found that the changes for related impacts to the design did not have significant impacts and won't require a separate environmental impact statement or assessment. He emphasized that it completely eliminates any possibility for the need of another environmental process.

In response to Director Harper's inquiry regarding metered electrical service at each station, Mr. Pochiraju advised that each station will require a separate meter, as they will have ticket vending machines and real time signs so they need electrical service. Due to previous issues with PG&E on San Pablo Avenue, Director Harper expressed concern with the costs, time delays in getting those separately metered systems. He suggested that it would be easier to enter into an agreement with the City of Oakland to pull power from the city light system.

Councilmember Kaplan stated that she would assist and suggested possibly looking into solar power.

In response to Councilmember Gallo's question regarding the issue with the City related to the fiber optic lines, Mr. Wilkins advised that the issue is open and discussions are ongoing.

Chair Ortiz stated that the City of San Leandro has a fiber optic plan for the future and that it should be extended into San Leandro, suggesting that the District contact San Leandro staff. Mr. Wilkins clarified that the fiber network that is being put in, is to run the BRT system and that the opportunity to leverage that network for greater community benefit is a possibility, but is a separate action that requires a separate discussion.

**MOTION:** KAPLAN/CUTTER to receive the BRT Project update report. The motion carried by the following vote:

AYES:7: Kaplan, Cutter, Gallo, Gregory, Harper, Young, Ortiz

ABSENT:2: Miley, Sartipi

**9. Consider receiving update on the BRT Information Center [Requested by Councilmember Kaplan] – Information**

BRT Community Outreach Team Manager, Terry Lightfoot of L. Luster & Associates presented the staff report.

Councilmember Kaplan asked if the Clipper card point of sale issue was resolved and what fare media will be available in the Center. She emphasized the need to make Clipper and other fare media available for anyone who decides to try the system, adding that there is still a systemic inequity in that low income and working class communities still do not have access to the Clipper discounts. Mr. Lightfoot advised that in discussions with customer service there is the possibility of transferring one of the AC Transit's add value machines to the Information Center, however, it cannot happen until a network upgrade has been completed later in the year. This would provide an opportunity to evaluate the hours of operation, foot traffic and other needs for Clipper support.

Chief Planning and Development Officer Dennis Butler acknowledged the importance of providing Clipper machines, noting that while it has been a difficult process, staff continues to work on it with the Metropolitan Transportation Commission (MTC).

Councilmember Cutter emphasized that safety is a major concern and Clipper is important so that users of the system do not have to pay with cash.

Councilmember Kaplan commented in favor of sending a letter to MTC, adding that as a regional Metropolitan Planning Organization, MTC could not authorize Clipper Cards disproportionately. She suggested sending a letter from the City or City Attorney to MTC on the importance of obtaining a Clipper card machine for the center.

Chair Ortiz reported that the AC Transit Board has been working hard to get Clipper accessibility in communities of color.

Councilmember Cutter asked how members of the Committee who also sit on the Policy Steering Committee could help staff get the issue resolved. Mr. Butler appreciated the willingness of Committee members to help. Staff would come back to the Committee with suggestions at a future meeting.

**MOTION:** KAPLAN/CUTTER to receive the report and to provide an update on the availability of a Clipper machine at the next meeting. The motion was adopted by the following vote:

**AYES:**7: Kaplan, Cutter, Gallo, Gregory, Harper, Young, Ortiz

**ABSENT:**2: Miley, Sartipi

#### **10. Consider receiving update on the Business Impact Mitigation Plan - *Information***

BRT Community Outreach Team Manager, Terry Lightfoot of L. Luster & Associates presented the staff report.

Councilmember Gallo acknowledged the Team's meetings with merchants in the neighborhood and questioned how their concerns would be addressed as far as providing recommendations for mitigation. Mr. Lightfoot advised that the feedback received from the merchants will be included in the impact mitigation plan that will be presented to the Steering Committee.

Councilmember Cutter requested that the business list be shared with the city, as she makes it a practice to visit new businesses that locate within her district.

##### **Public Comment:**

- Rosendo Gamez, Fruitvale District merchant, (through an interpreter) expressed concern with the project, noting that the 300 businesses around Fruitvale depend on the vehicles driving through the district. He added that the project would cause up to 80% of business to close because of the elimination of parking, and that business is already in crisis due to crime, prostitution and violence. In his opinion, AC Transit and the City have not considered these factors and questioned who would pay for cleaning during the construction and how would businesses be compensated because of relocation.
- Juan Chavez, business owner, expressed concern with street parking issues, noting 70% of the business in Oakland is conducted on Saturday and Sunday. He felt the project would kill all business around the Fruitvale District and urged AC Transit and the City to help.
- Jose Romero, a 35 year business owner on International Boulevard, commented that he depends on deliveries and customers driving through and questioned what AC Transit will do about the impact on the merchants.
- Tim Le, representing East Lake merchants, expressed concerns with parking and deliveries, believing that the project would drive business away.

Councilmember Kaplan suggested that time be set aside at the next meeting to focus on the parking issue (where parking is being lost and where the new lots are located). She acknowledged that all aspects of the project are improving with the exception of the parking impacts.

Mr. Lightfoot responded that the effort is underway and that staff from the City and AC Transit are meeting with merchants to look at the maps that show block by block where parking is being

moved and where it is going on side streets and what is happening with loading zones. He acknowledged the need to provide a much finer level of detail so the merchants understand what is occurring.

Chair Ortiz emphasized the need for the Committee members, as the policy makers, to receive information identifying the name of the specific business, the concern and solution.

Councilmember Gallo advised of the walk through with staff in the afternoon on International from Fruitvale to High street, and acknowledged the issue with parking. He stated that the City owns lots along International that have been vacant for a number of years that could be used to help not only merchants but also the BART traffic.

MOTION: HARPER/ORTIZ to receive the report. The motion carried by the following vote:

AYES:7: Harper, Ortiz, Cutter, Gallo, Gregory, Kaplan, Young

ABSENT:2: Miley, Sartipi

The item was presented for information only.

#### **11. Consider receiving update on the Parking Impact Mitigation Plan - *Information***

Program Manager Alan Brick-Turin of Gannett Fleming, Inc. presented the staff report.

Chair Ortiz clarified with previous speakers under item 10, that the same comments apply to this item.

Councilmember Kaplan reiterated the need to bring the item back with a map in order to see where mitigations are and see if more are needed. Councilmember Gallo added that there are many possibilities, such as the privately owned parking lot at 35<sup>th</sup> and International, where the owners are willing to work with the City and AC Transit to make it available. In addition, the City has a proposed a housing project near BART that is being made available to the merchants, their employees and customers.

An unidentified speaker from the audience questioned how the project will deal with BART riders who park in the street in front of their businesses.

MOTION: YOUNG/ORTIZ to receive the report. The motion carried by the following vote:

AYES:7: Young, Ortiz, Cutter, Gallo, Gregory, Harper, Kaplan,

ABSENT:2: Miley, Sartipi

#### **12. Consider receiving status report on the 65% Design Plan for Major Infrastructure Construction - *Information***

Program Manager Alan Brick-Turin of Gannett Fleming, Inc. presented the staff report. He addressed questions from the Committee regarding trash issues and the idea of capturing storm

water runoff for irrigation of landscaping. The trash issue will be addressed in the 85% design plan and the idea of capturing water runoff would be explored.

Councilmember Kaplan emphasized the need to select drought and maintenance free landscaping.

Councilmember Gallo expressed his appreciation to the General Manager and District staff for helping to restore International Avenue.

MOTION: KAPLAN/ORTIZ to receive the report. The motion carried by the following vote:

AYES:7: Kaplan, Ortiz, Cutter, Gallo, Gregory, Harper Young

ABSENT:2: Miley, Sartipi

The item was presented for information only.

### **13. Confirm date and time of next meeting.**

The next meeting is scheduled for April 30, 2014, at 10:00 a.m. to discuss the Parking and Business Impact Mitigation Plan. The 65% design will be scheduled for discussion at a later date.

### **14. Future Agenda Items**

- Update on Clipper (April 30<sup>th</sup>)

### **15. Adjournment**

There being no further business to come before the committee, the meeting adjourned at 11:54 a.m.

Respectfully submitted,



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Linda A. Nemeroff  
District Secretary

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# Special Meeting: East Bay Bus Rapid Transit Policy Steering Committee



## MINUTES

Tuesday, September 30, 2014

2:00 p.m.

2<sup>nd</sup> Floor Board Room

1600 Franklin Street

Oakland, CA 94612

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### **PSC Members:**

#### ***AC Transit:***

Director Elsa Ortiz, Chair

President Greg Harper

Director Joel Young

#### ***Alameda County (Ex Officio):***

Supervisor Nate Miley

#### ***Metropolitan Transportation Commission/Caltrans:***

District Director Bijan Sartipi

#### ***City of Oakland:***

Councilmember Noel Gallo

Councilmember Rebecca Kaplan

#### ***City of San Leandro:***

Councilmember Michael Gregory

Councilmember Pauline Cutter

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The East Bay Bus Rapid Transit Policy Steering Committee held a special meeting on Tuesday, September 30, 2014. The meeting was called to order at 2:02 p.m. with Chair Ortiz Presiding.

### **1. Roll Call**

#### **Committee Members Present:**

Director Elsa Ortiz, Chair

Director H. E. Christian Peoples (Alternate)

Director Joel Young

Councilmember Michael Gregory

Councilmember Pauline Cutter

Councilmember Noel Gallo

Councilmember Rebecca Kaplan

#### **Committee Members Absent:**

Supervisor Nate Miley

Caltrans District Director Bijan Sartipi

President Greg Harper

#### **AC Transit Staff Present:**

General Manager David J. Armijo

Interim General Counsel Denise Standridge

District Secretary Linda Nemeroff

Acting Chief Planning and Development Officer Dennis Butler

Director of BRT David Wilkins

**2. Public Comment**

There was no public comment offered.

**3. Chair's Report on pertinent actions of the AC Transit Board of Directors**

Chair Ortiz reported on the following actions/activities which occurred since the last Policy Steering Committee meeting:

- Progress in engineering and community outreach;
- Advertisement of the first two construction contracts for utility relocation and parking lot construction;
- The development of a proposal for a more robust and comprehensive Business Impact Mitigation Program made possible through savings achieved in cooperation with the City of Oakland;
- Implementation of a new merchant engagement process to help improve the design and better mitigate impacts to businesses; and
- Small Starts Grant Application in its final stages.

Information only.

**4. Consider approving the East Bay Bus Rapid Transit (BRT) Policy Steering Committee minutes of April 30, 2014.**

MOTION: GALLO/KAPLAN to approve the minutes as presented. The motion carried by the following vote:

AYES:5: Gallo, Kaplan, Cutter, Young, Ortiz

ABSTAIN:2: Gregory, Peeples

ABSENT:2: Miley, Sartipi

*Items 5 through 8 were taken out of sequential order, but are reported in sequential order in the minutes for ease in reading.*

**Action Items (Recommendations to the AC Transit Board of Directors):**

**5. Consider recommending incorporation of the Federal Transit Administration Guidance into the Construction Careers Policy (CCP) and the Project Labor Agreement (PLA).**

Interim General Counsel Denise Standridge introduced Julian Gross, the District's Special Counsel on workforce issues. Mr. Gross gave an overview of the Federal Transit Administration's (FTA) guidance concerning the Construction Careers Policy and Project Labor Agreement, noting a compliance review by the FTA required the District to remove all references to local hire throughout the documents. He also commented on stakeholder meetings and meetings with other interested parties on the policy.

Chair Ortiz reiterated AC Transit's commitment to work with the stakeholder groups through the duration of the project.

Member Cutter sought assurances that both cities would be treated the same under the project and that union labor would be used from different halls to ensure that the work on the project



would be distributed. Mr. Gross reported that San Leandro and Oakland are treated the same under the policy, noting that the FTA is most concerned that both in the contracting and the workforce there are advantages for local workers or contractors compared with out of state contractors. He added that the Project Labor Agreement has a system to resolve jurisdictional disputes and that he was not aware of any opposition to the PLA and CCP.

**Public Comment:**

Jahmese Myres, Revive Oakland Coalition, spoke in support of the CCP and PLA even though the FTA had removed language pertaining to local hiring. She added that Revive Oakland was committed to working on an implementation plan and proper enforcement of the CCP.

MOTION: GALLO/KAPLAN to recommend incorporation of the Federal Transit Administration Guidance into the Construction Careers Policy and the Project Labor Agreement. The motion carried by the following vote:

AYES:7: Gallo, Kaplan, Cutter, Gregory, Peeples, Young, Ortiz

ABSENT:2: Miley, Sartipi

**6. Consider recommending:**

Items 6a, 6b, and 6c were considered concurrently.

- a) **Receipt of informational report on the development of the business and parking impact mitigation programs for the East Bay Bus Rapid Transit Project.**
- b) **Approval of the Business Impact Mitigation Plan for Bid Package #1, Advanced Utilities and the Parking and Business Impact Mitigation Plan for Bid Package #2, Fruitvale Bypass and Off-Street Parking Lots (Fruitvale and Elmhurst).**
- c) **Approval of BRT Project funding in the amount of \$2.5 million for the City of Oakland and \$.294 million for the City of San Leandro Business Technical Assistance Programs.**

With regard to Items 6a through 6c, the following presentations were given:

- Director of BRT David Wilkins presented the staff report with regard to the Business Impact Mitigation Plan for Bid Packages #1 and #2;
- City of Oakland Economic Development Manager Aliza Gallo presented an overview of the Oakland Business Sustainability Program and its major components and benefits to business owners (*the PowerPoint presentation given is incorporated into the file by reference*); and
- Acting BRT Program Manager Christine Calabrese provided an overview of a proposal for lighting and sidewalk repairs along International Boulevard. She also spoke to the ongoing concerns about parking along the corridor and what the BRT Team and City are doing to alleviate those concerns.

Acting Chief Planning and Development Officer Dennis Butler added that the Business Technical Assistance Program is equally available to businesses in the San Leandro.

Chair Ortiz asked how the Business Support Initiatives differed from the Business Technical Assistance Program. Mr. Wilkins advised that business support initiatives were part of the business impact mitigation fund (window washing, street sweeping, BRT information center and

staffing, etc.), whereas the Technical Assistance Program was designed by the City of Oakland to provide internal business operations support throughout the project. Ms. Gallo added that the Technical Assistance Program was designed to provide support throughout construction into the start of revenue service for approximately three years.

Chair Ortiz further inquired whether the Parking Study (conducted by the City of Oakland) would impact the project and how staff would handle parking losses in San Leandro. Ms. Calabrese advised that the City of Oakland is working with merchants and stakeholders and continues to make revisions based on the feedback received. The next step will involve the formulation of the mitigation plans which will be part of the bid documents. With respect to San Leandro, Mr. Wilkins advised that this area has fewer impacts and staff works directly with the Public Works Department in that area.

With regard to parking losses in the City of San Leandro, Councilmember Cutter suggested that District and City staff be proactive and engage the public sooner rather than later.

Councilmember Gallo commented on the benefits of the project, noting opportunities in parking, sidewalk, and pavement improvements; lighting; fiber optic and other public works improvements.

Councilmember Kaplan requested that the District follow up with Mr. Jennifer with regard to the concerns he raised under public comment. The General Counsel will advise the committee if more needs to be done to get his issues resolved. [See public comment below by Jai Jennifer.]

**Public Comment:**

- Xavier Sibaja spoke on behalf of merchants for the San Antonio, Eastlake, and Fruitvale areas. He requested the following: 1) that technical assistance services be tailor-made to the type of business; 2) that training be given to merchants on how to take advantage of the programs available; 3) the need for a forgivable loan program; and 4) parking assistance for the Eastlake and San Antonio districts. He also complained that the meeting time had changed and requested that notices and reports be sent by email in the future.
- Joel Ramos, TransForm, commented in support of the project and the allocation of funding to the City of Oakland to assist merchants, noting that some have specific needs. He also expressed support for the Parking Impact Mitigation Plan and city/communities' interest in developing a parking benefits district.
- Thu Fam, business owner in the Eastlake district, expressed support for the merchants, noting that some businesses will be affected more than others and some may have to close permanently due to the impacts. She asked the elected officials on the Committee to think of the businesses when they vote because it affected their families and community. She asked that business impact mitigation funds be used for the merchants and not consultants, and requested a forgivable loan program. She also requested resolution to the parking issues.
- Jai Jennifer, real estate consultant, asked policy-makers to look at the negative impact of the project on small businesses, noting his own experience with the project/District. He suggested that there be some effort made to eliminate the negative impacts on small businesses that work for the District on the project.

MOTION: GALLO/KAPLAN to recommend the following to the AC Transit Board of Directors:

- a) Receive informational report on the development of the business and parking impact mitigation programs for the East Bay Bus Rapid Transit Project;
- b) Approve the Business Impact Mitigation Plan for Bid Package #1, Advanced Utilities and the Parking and Business Impact Mitigation Plan for Bid Package #2, Fruitvale Bypass and Off-Street Parking Lots (Fruitvale and Elmhurst);
- c) Approve the BRT Project funding in the amount of \$2.5 million for the City of Oakland and \$.294 million for the City of San Leandro Business Technical Assistance Programs.

AYES:5: Gallo, Kaplan, Young, Peeples, Ortiz

NOES:2: Gregory, Cutter

ABSENT:2: Miley, Sartipi

***Councilmember Kaplan left the meeting at 3:50 p.m. Councilmember Gallo left the meeting at 4:03 p.m.***

#### **Information Items:**

#### **7. Consider receiving BRT Project update.**

*[The PowerPoint presentation is incorporated into the file by reference.]*

Director of BRT David Wilkins gave an informational update on the BRT Project.

Chair Ortiz commented that if the voters augment and extend Measure B, there would be an additional \$10 million in funding for the project, which was not reflected in the project budget.

Councilmember Kaplan asked if the bus specifications included the guided docking feature, noting that level boarding was a necessary element of the project for ADA reasons. Mr. Wilkins advised that the specifications did not include this, noting that it posed challenges to operators. Instead, a kettle curb was incorporated into the design of the station platform that would allow a bridge plate to deploy and create a level surface. Acting Chief Planning and Development Officer Dennis Butler noted that the gap between the platform and the bus should be minimal and the bridge plate would be deployed if necessary. He added that there was no mature guidance system available for guided docking.

Mr. Wilkins also addressed questions about the procurement process.

The item was presented for information only.

#### **8. Consider receiving update on BRT Artistic Enhancement Program.**

*[The PowerPoint presentation is incorporated into the file by reference.]*

Senior Project Manager Ramakrishna Pochiraju provided an update on the Artistic Enhancement Program. He further introduced Lead Artist Johanna Poethig who gave an overview of the artistic concept for the project entitled, "Cultural Corridor-Urban Flow".

**Public Comment:**

- Brishana Evans, Youth Uprising, commented that it was great to connect with youth and share ideas, which helped shape the artistic component of the Project and allow the youth to have some input into what the community looks like.
- Shalonda Mann, Youth Uprising, commented that she was proud of her work on the artistic elements of the project. She added that the art improves the neighborhoods along East 14<sup>th</sup> Street and was glad to be a part of the project and the experience to help shape the future.
- Steven Huss, Cultural Arts Manager for the City of Oakland, commended the efforts of the team in developing a comprehensive program that is inclusive of all the neighborhoods, while creating an innovative artistic concept with integrity. He was also happy to see the youth engagement throughout the process.
- Cynthia Battenberg, Community Development Director for the City of San Leandro, thanked the artistic team for the comprehensive outreach process that took place, noting it was thorough and inclusive and identified the uniqueness of the individual neighborhoods. She said that she wished there was more funding to do enhancements for each station.
- Paniel Takela participated in the youth workshops in San Leandro for the artistic enhancement project. She said that she enjoyed the experience while learning a lot about her community while incorporating her own ideas into the project. She added that the people of Oakland and San Leandro should be delighted with the outcome.

The item was presented for information only.

**9. Confirm date and time of next meeting**

The next meeting date is to be determined.

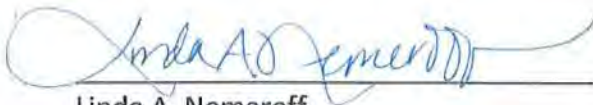
**10. Future Agenda Items/Review List of Pending Items**

No new items were requested.

**11. Adjournment**

There being no further business to come before the committee, the meeting adjourned at 4:15 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Linda A. Nemeroff", is written over a horizontal line.

Linda A. Nemeroff  
District Secretary

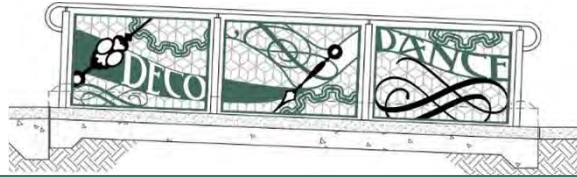


# East Bay Bus Rapid Transit Project Update



## Policy Steering Committee Meeting No. 14

July 9, 2015



## Agenda – BRT Project Update

### ■ Key Program Activities

- DOT Local Hire Pilot Program
- Business Impact Mitigation Plan and Funding
- Oakland Parking Improvement Plan
- Program Schedule and Budget

### ■ BRT Project Update

- Bid Package 1 – Utility Relocation
- Bid Package 2 – Parking Mitigation Lots and Fruitvale Bypass
- Bid Package 3 – Major Roadway, Systems, Landscaping and Station Construction

# Key Program Activities

- DOT Local Hire Pilot Program
- Business Impact Mitigation Plan and Funding
- Oakland Parking Improvement Plan
- Program Schedule and Budget



# DOT Pilot Local Hire Program

- District Pilot
  - Coordination Meeting on April 29<sup>th</sup> to determine nature and scope of Pilot
  - Managed by Phillip McCants with support from Andrea Lowe
  - Conversations with:
    - FTA Regional 9 liaison to inform them of our intent to participate in the Pilot Program and secure information necessary to include in program application
    - Construction Careers Policy (CCP) advisory committee regarding local hire language and processes to include in CCP
    - Project Labor Agreement (PLA) advisory committee to secure by-in from trade partners
  - Analysis of local hiring programs and goals being implemented by other agencies
- Next Steps
  - Draft application
  - Update PLA & CCP



# Business Impact Mitigation Plan and Funding

- AC Transit and its partners have developed a plan and budget to manage effects on businesses and residents during construction and as a result of BRT infrastructure built along the corridor
- The Program Budget allocates mitigation funding into 3 parts:
  - Final Environmental Impact Statement/Report (FEIS/R) Mitigations
  - Temporary construction effects
  - Permanent infrastructure effects
- The plan also includes and funds a parking improvement plan for the Oakland sector



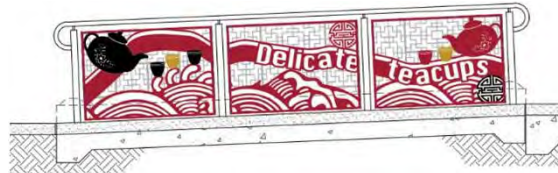
## BIM Funding – FEIS/R Mitigations – Corridor Wide

Table 1 - Construction Impact Mitigation Fund Allocations	Base Year Dollars
<b>Site Specific Mitigations - Impacts (To Parking) From Roadway Alignment And Geometry</b>	
<i>Fruitvale and Elmhurst Parking Mitigation Lots / Fruitvale Bypass Project</i>	\$5,000,000
<i>Parking Space Relocation / Conversion</i>	\$750,000
<b>Site Specific Mitigations - Impacts From Station Placement/Installation</b>	
<i>Advanced Utility Relocation</i>	\$3,000,000
<i>Mobilization</i>	\$66,000
<b>Sub-Total -</b>	<b>\$8,816,000</b>



## BIM Funding – Temporary Mitigations - Oakland

Table 2 - Mitigation Impact Fund Allocations - Business Support Initiatives - OAKLAND (example allocations)	Base Year Dollars
<b>Corridor - Wide, Common Mitigations - Temporary Construction Impacts</b>	
<i>Example - business way-finding signage, street sweeping, sidewalk washing, window washing (140 city blocks x \$8000 per block)</i>	\$1,125,000
<b>Business / Community Services</b>	
BRT Information Center (funds obligated)	\$380,000
Community Outreach Specialist (Manages Info Center)	\$250,000
Community Construction Relations Manager (CCRM)	\$200,000
Merchant Support	\$100,000
Public / Motorist Information	\$110,000
<b>Sub-Total -</b>	<b>\$2,165,000</b>



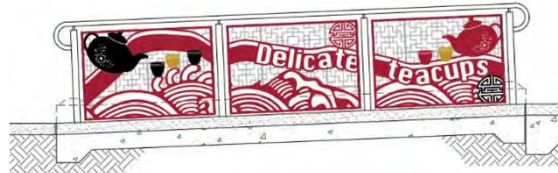
## BIM Funding – Temporary Mitigations – San Leandro

Table 3 - Mitigation Impact Fund Allocations - Business Support Initiatives - SAN LEANDRO (example allocations)	Base Year Dollars
<b>Corridor - Wide, Common Mitigations - Temporary Construction Impacts</b>	
<i>Example - business way-finding signage, street sweeping, sidewalk washing, window washing (15 city blocks x \$9000 per block)</i>	\$135,000
<b>Business / Community Services</b>	
BRT Information Center (funds obligated)	\$45,000
Community Outreach Specialist (Manages Info Center)	\$20,000
Community Construction Relations Manager (CCRM)	\$20,000
Merchant Support	\$20,000
Public / Motorist Information	\$15,000
<b>Sub-Total -</b>	<b>\$255,000</b>



# BIM Funding – Permanent Mitigations - Oakland

Table 4. Business Technical Assistance and Sustainability Program	Base Year Dollars	Funder and Source
<b>1. AC Transit - Business Technical Assistance Program - Direct Business Capital (Permanent) Mitigation Program</b>	<b>\$500,000</b>	<b>ACT - BRT Project</b>
<i>Common Mitigations - <b>Permanent Impacts</b> Related To BRT Operational Requirements (example - left turn rules)</i>		
<i>Site Specific Mitigations - <b>Permanent Impacts</b> Related To Infrastructure Improvements (Example - Driveway Closures)</i>		
<b>AC Transit Subtotal:</b>	<b>\$500,000</b>	
<b>2. City of Oakland Business Sustainability Program</b>		
<b>2A. Oakland - Business Technical Assistance Program</b>	<b>\$2,000,000</b>	<b>AC Transit</b>
<i>Conduct Individual Business Assessments – Identify <b>Indirect Impacts</b> (Physical and Programmatic)</i>		
<i>Provide Technical Assistance, Training, Referral, and Access to Financial Programs</i>		
<b>2B. Oakland - BRT Capital Improvement Mitigation Projects</b>	<b>\$2,000,000</b>	<b>City - GPF / CDBG</b>
<i>Site Specific Mitigations – <b>Indirect Impacts</b> Related to BRT Infrastructure Improvements</i>		
<b>2C. Oakland - Business Interruption Fund (reserved)</b>	<b>-</b>	<b>-</b>
<b>2D. Oakland -Affordable Housing Sustainable Communities award for International Blvd BRT-supportive pedestrian projects</b>	<b>\$726,000</b>	<b>City - AHSC Award</b>
<b>2E. Oakland - Int'l Blvd Pedestrian Lighting &amp; Sidewalk Repair</b>	<b>\$2,480,000</b>	<b>CTC - ATP Award</b>
<b>Oakland Subtotal:</b>	<b>\$7,206,000</b>	



## BIM Funding – Permanent Mitigations – San Leandro

3. San Leandro - Business Technical Assistance Program - Direct Business Capital (Permanent) Mitigation Program	\$294,000	ACT - BRT Project
Common Mitigations - <b>Permanent Impacts</b> Related To BRT Operational Requirements (example - left turn rules)		
Site Specific Mitigations - <b>Permanent Impacts</b> Related To Infrastructure Improvements (Example - Driveway Closures)		
San Leandro Subtotal:	\$294,000	
Corridor Wide Grand Total:	\$8,000,000	





## Construction Impact Mitigation Plan (CIMP) – AC Transit

- Provides a framework for communications to businesses and residents regarding the direct temporary construction effects.
- Develop remedies and mitigations for these effects to the maximum extent practicable.
- Implemented by contractor allowance based on guidance in the CIMP.
- Developed in accordance with three key directives: pro-active merchant and community engagement; formulation of the most responsive measures feasible to mitigate disruptive project impacts to “businesses” and residents along the Project corridor; and commitment to fulfilling the City of Oakland’s and City of San Leandro’s Conditions of Approval.
- The District is currently reviewing comments received from City of Oakland.



## Business Technical Assistance – AC Transit (\$500K)

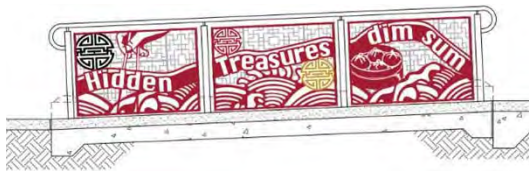
- AC Transit's technical assistance is non-financial and offers no direct payment to businesses or individuals
- Determines and validates direct permanent construction effects
- Develop remedies and mitigations for these effects to the maximum extent practicable through design changes and / or site improvements, such as repositioning signage obstructed by station canopies
- Same scope of work as above in San Leandro (\$294K)





## City of Oakland Business Sustainability Program (\$7,206,000)

- **Business Technical Assistance Program (\$2,000,000)**
  - Conduct Individual Business Assessments – Identify Indirect Impacts (Physical and Programmatic)
  - Provide Technical Assistance, Training, Referral , and Access to Financial Programs
- **BRT Capital Improvement Mitigation Projects (\$2,000,000)**
  - Site Specific Mitigations – Indirect Impacts Related to BRT Infrastructure Improvements
- **Business Interruption Fund (reserved)**
- **Affordable Housing Sustainable Communities (AHSC) award for International Blvd BRT-supportive pedestrian projects (\$726,000)**
- **Int'l Blvd Pedestrian Lighting & Sidewalk Repair (\$2,480,000)**



## Oakland Parking Improvement Plan

- The City is developing the Parking Improvement Plans for the BRT route in Oakland in coordination with the AC Transit BRT team
- The City's consultant, Fehr & Peers, is adhering to the 1:1 Parking Realignment Methodology published in AC Transit's October 2014 Parking Impact Report
- On-street parking preservation remains a top priority for merchants with emphasis on freight, customer and employee parking



## Oakland Parking Improvements – By the Numbers

	Parking Spaces Today (A)	Parking Spaces with BRT (B)	Baseline Parking Impacts (A – B)	Parking Spaces After Applying Realignment Methodology (C)	Final Net Gain or Loss in Parking (A – C)
UNCONTROLLED PARKING	1,736	1,472	(264)	905	(831)
CONTROLLED PARKING	612	496	(116)	910	+298
METERED PARKING	503	411	(92)	702	+199
COMMERCIAL LOADING	79	63	(16)	136	+57
PASSENGER LOADING	30	25	(5)	30	0
ADA PARKING	17	17	0	20	+3
TOTAL PARKING	2,977	2,484	(493)	2,703	(274)*
NET PARKING LOSS (% of Total)			(17%)		(9%)

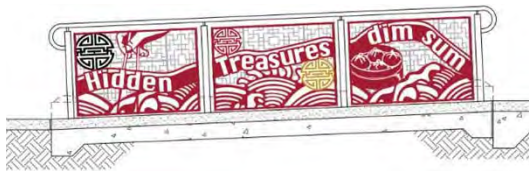


## Oakland Parking Improvements – Additional Criteria

- Simplify the parking system by applying a base zone of 2-hour parking or by providing parking meters
- Expand and create new customer priority areas in the Eastlake, San Antonio, and Fruitvale neighborhoods by using meters
- Apply location specific considerations developed in 1:1 merchant meetings, neighborhood meetings, and in Community Outreach Working Group sessions







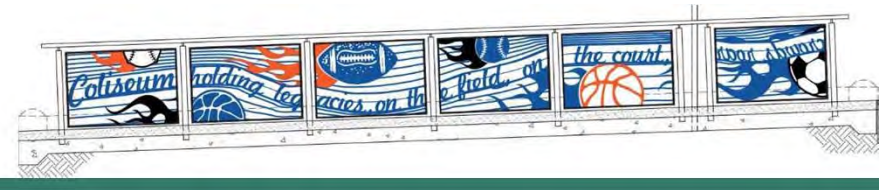
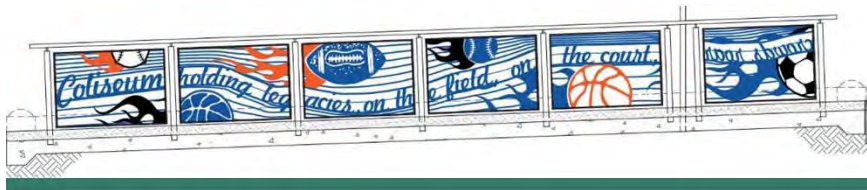
## Net Parking Change From Existing



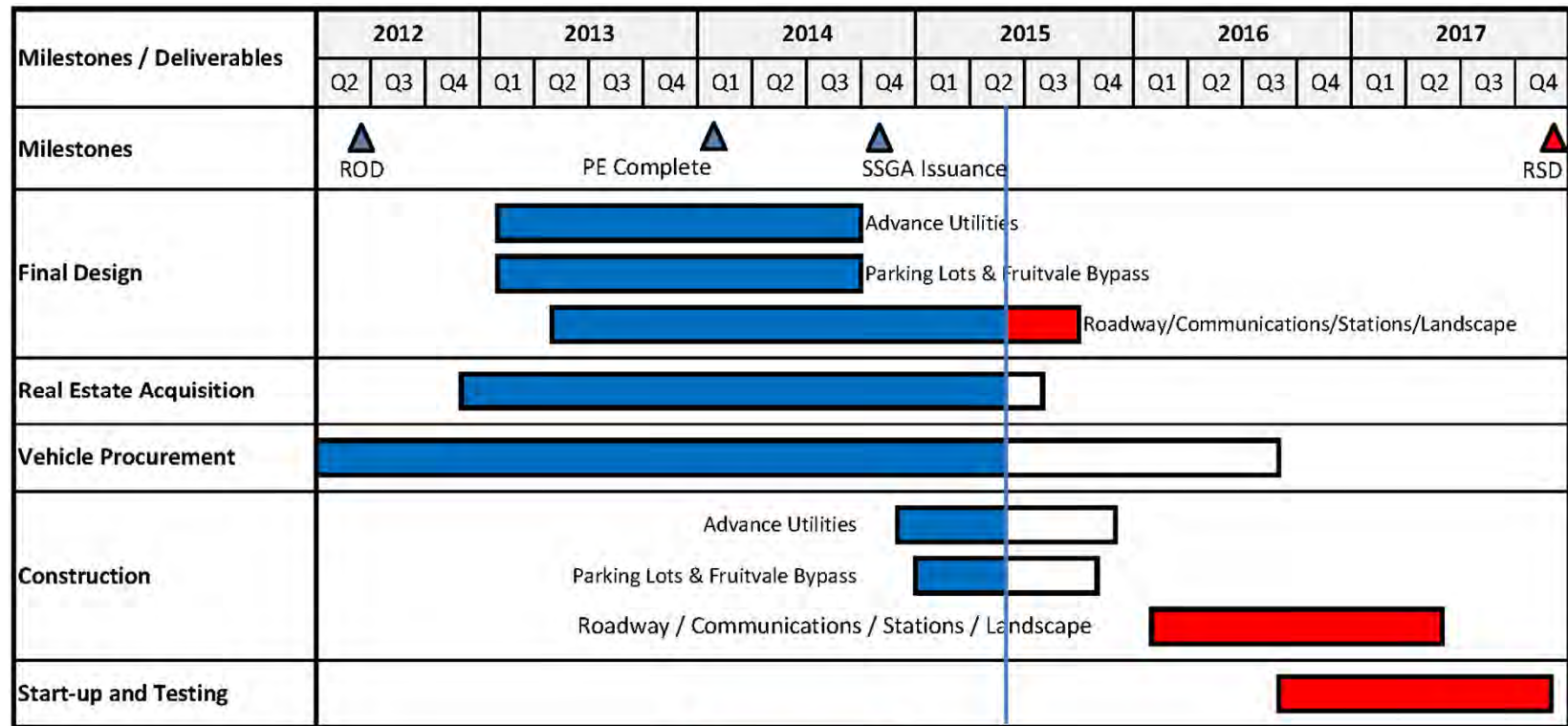
Figure 2

Summary of Parking Impacts (42<sup>nd</sup> Avenue to Durant Avenue)

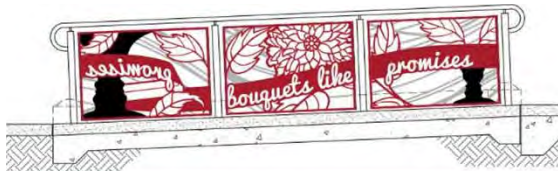




# Program Schedule



Critical Path



## Program Budget

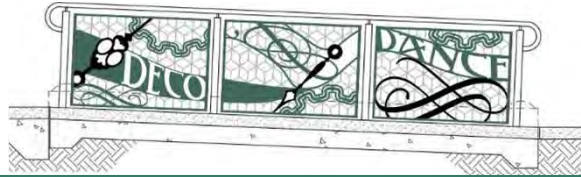
SCC Codes	SCC Description	95% Design Estimate (YOE\$)	Costs Incurred thru May 2015	Estimated Remaining Cost
10	Guideway	6,439,478	-	6,439,478
20	Stations	11,159,696	-	11,159,696
40	Sitework & Special Conditions	41,457,802	327,376	41,130,426
50	Systems	37,586,550	-	37,586,550
60	ROW, Land, Existing Improvements	1,593,211	978,384	614,827
70	Vehicles	2,506,951	-	2,506,951
80	Professional Services	55,917,798	37,567,851	18,349,947
90	Unallocated Contingency	17,506,401	-	17,506,401
100	Finance Charges	-	-	-
		<b>174,167,887</b>	<b>38,873,611</b>	<b>135,294,276</b>

- Additional \$3.8M for Other Related BRT Projects makes Project cost \$178M
- Total contingency is ~16.7%.



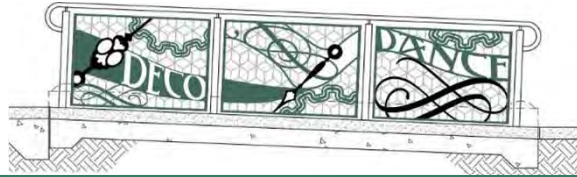
# BRT Project Update

- Bid Package 1 – Utility Relocations
- Bid Package 2 – Parking Mitigation Lots and Fruitvale Bypass
- Bid Package 3 – Major Roadway, Systems, Landscaping and Station Construction
  - New Infrastructure in Oakland
  - New Infrastructure in San Leandro



## Bid Package 1 – Advance Utilities

- 23 work zones in the project
- First work zone started April 29, 2015 in San Leandro and is now complete.
- Project is moving north along International Blvd.
- 5 work zones are completed; 5 more underway in the Fruitvale District
- Project is on schedule and within budget
- Anticipate project complete December 2015



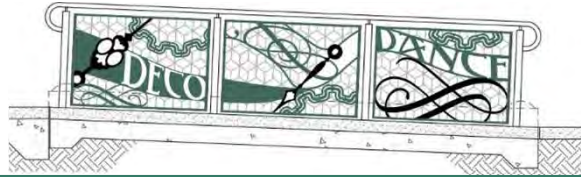
## Bid Package 1 – Advance Utilities (cont.)

### ■ Community Outreach

- Construction notification letters sent to property owners, residents, business owners and merchants within 500 feet of construction zones
- Construction notification doorknob hangers distributed to property owners, residents, business owners and merchants before start of each construction zone
- One on one meetings held with merchants, property owners and residents to explain construction activities
- Meetings held with community organizations to explain construction activities
- Daily drive through construction zones to inspect compliance with Construction Impact Mitigation Plan







## Bid Package 1 – Site 19 (54<sup>th</sup> Avenue to 53<sup>rd</sup> Avenue)





## Bid Package 2 – Parking Lots & Fruitvale Bypass

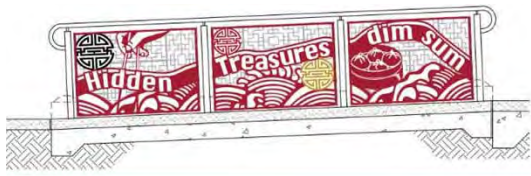
- Fruitvale Lot D – tree removal, demo, excavation and subgrade work all complete
- Elmhurst Lot G – demo, excavation and subgrade work all complete
- Bypass – progress with redesign, UPRR coordination, and parking mitigation efforts. Bypass will start following completion of parking lots



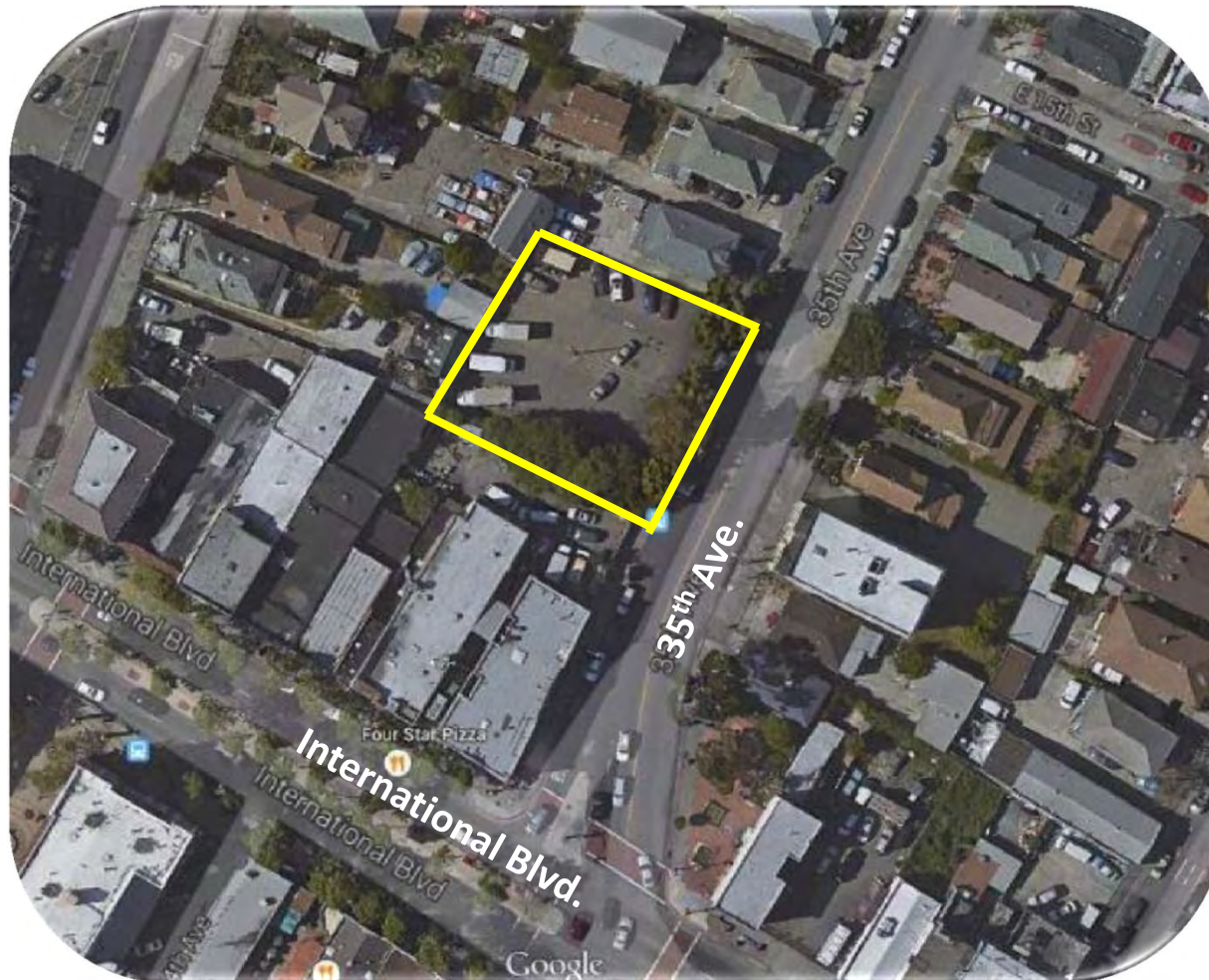
## Bid Package 2 – Parking Lots & Fruitvale Bypass

- Community Outreach
  - Meetings held with all affected property and business owners to explain construction activities
  - Construction notification letters and door hangers distributed to all affected property and business owners in proximity to parking lot construction

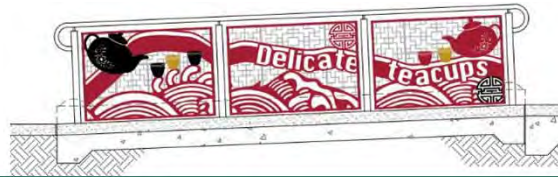




## Bid Package 2 – Fruitvale Parking Lot



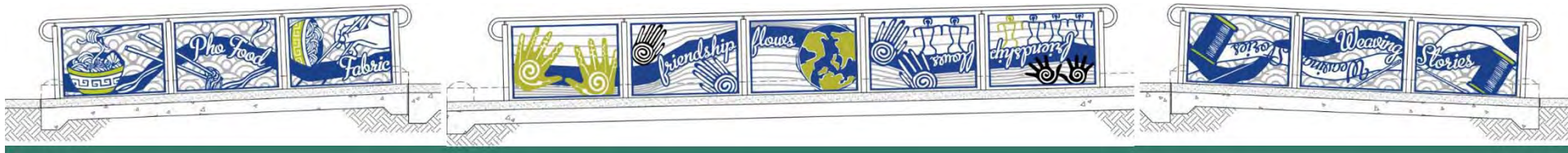




## Bid Package 2 – Fruitvale Parking Lot







## Bid Package 2 – Elmhurst Parking Lot







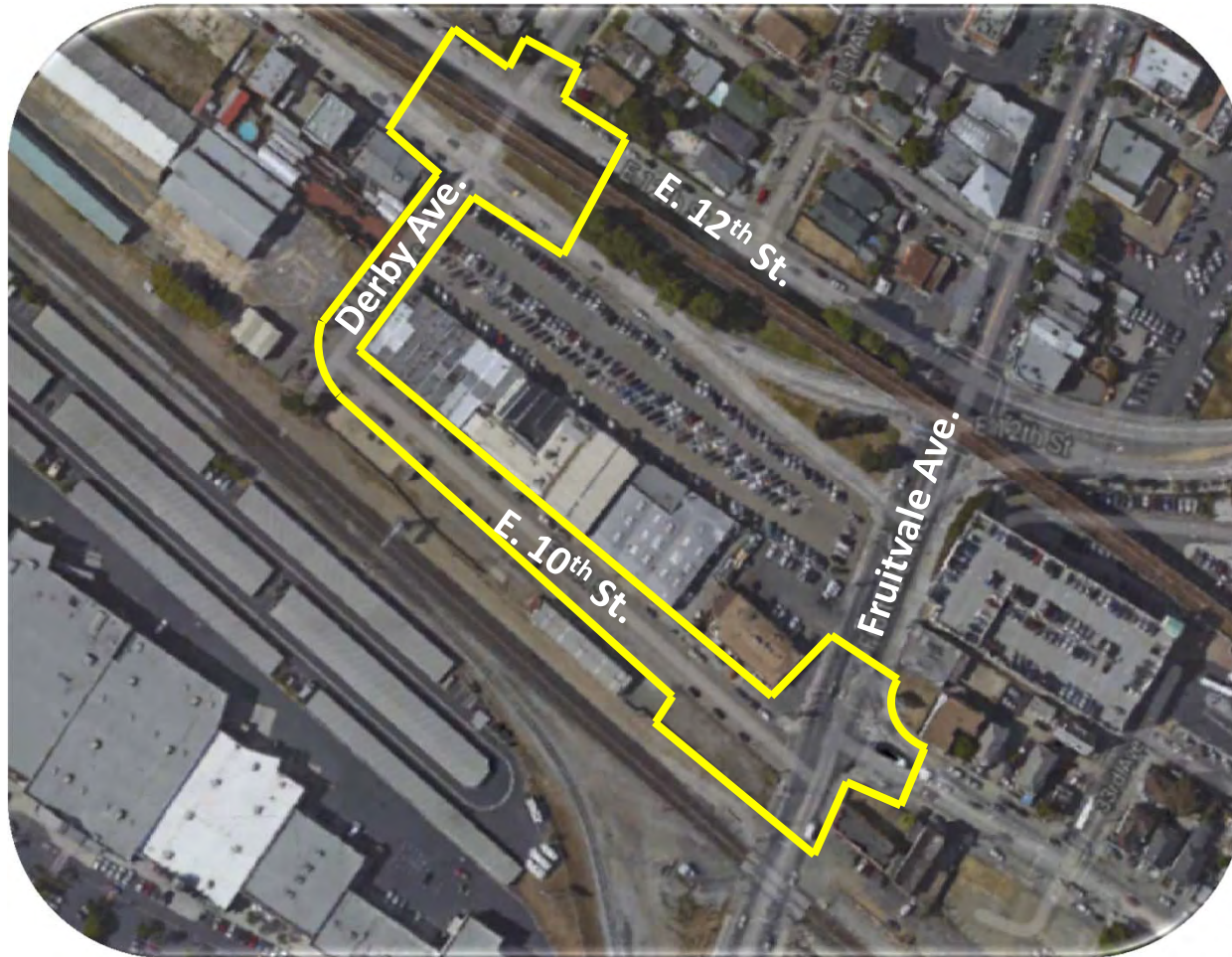
## Bid Package 2 – Elmhurst Parking Lot







## Bid Package 2 – Fruitvale Bypass





## Bid Package 3 – Major Construction

- 95% Design (Phase 1)
  - Submitted for review: October 2014 / Comments received: December 2014
- 100% Design (Phase 2)
  - Submitted for review: January 2015 / Comments received: March 2015
- 100% Design (Final/Ready to List): Anticipate September 2015
- Bid Advertised: October 2015
- Bids Due: November 2015
- Contract Award: December 2015
- Construction start: February 2016
- Construction complete late 2017 – early 2018
- After design completion, the designer of record will remain on contract, with reduced staff to provide design support during construction through Substantial Completion



## New Infrastructure – San Leandro

- 6 Curbside stations
- 1 Median stations
- 2 Art Enhanced Stations

- Station Features include:
  - Transit Signal Priority (TSP)
  - Level-boarding platforms
  - Shelters and benches
  - Ticket Vending Machines (TVMs)
  - Real-time arrival information
  - Surveillance cameras
  - Pre-paid boarding with proof of payment fare enforcement

- \$200K Landscaping features
- Sewer mains and sewer lateral upgrades
- 144 Fiber optic network strands
- .25 Mile of new paving and other street improvements





## New Infrastructure - Oakland

- 18 Curbside stations
- 20 Median stations
- 5 Art Enhanced stations

- Station Features include:
  - Transit Signal Priority (TSP)
  - Level-boarding platforms
  - Shelters and benches
  - Ticket Vending Machines (TVMs)
  - Real-time arrival information
  - Surveillance cameras
  - Pre-paid boarding with proof of payment fare enforcement

- \$2.1MM Landscaping features
- Sewer mains and sewer lateral upgrades
- 288 Fiber optic network strands
- 9.5 Miles of new paving and other street improvements

# East Bay Bus Rapid Transit Project Update

- ✓ QUESTIONS?
- ✓ FINAL COMMENTS
- ✓ ACTION ITEMS
- ✓ NEXT MEETING

## Policy Steering Committee Meeting No. 14

July 9, 2015

# East Bay Bus Rapid Transit Project Update



## Policy Steering Committee Meeting No. 14

July 9, 2015