ACTION MEMO

AC TRANSIT DISTRICT
Board of Directors

GM Memo No. 05-056

Board of Directors

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Meeting Date: February 16, 2005

Committees:
Planning Committee □ Finance Committee □
External Affairs Committee □ Operations Committee □

Board of Directors □ Financing Corporation □

SUBJECT:
Authorize the General Manager to execute Agreements with ACTIA for Measure B Funding for the Telegraph portion of the Telegraph/International Blvd./E. 14th St. Bus Rapid Transit (BRT) Project and for the Scope Phase of the San Pablo Improvement Project.

RECOMMENDED ACTION:

Information Only □ Briefing Item □ Recommended Motion ☑

Authorize the General Manager or his designee to execute the following documents for the San Pablo improvements and Telegraph Avenue BRT Projects:
- Letter of Agreement with ACTIA - Scope Phase of San Pablo Improvements
- Revised Master Project Funding Agreement for ACTIA Measure B Funds
- Project Specific Agreement No. 7A – PS&E/Environmental for BRT
- Project Specific Agreement No. 7A - Implementation-Rapid Bus Service

Authorize the General Manager or his designee to execute any and all documents amending Project Specific Agreement No. 7A to reflect the Final Design and

BOARD ACTION: Approved as Recommended [x] Other [ ]

Approved with Modification(s) [ ]

MOTION: BISCHOFBERGER/JAQUEZ to authorize the General Manager to execute agreements with ACTIA for Measure B Funding for the Telegraph portion of the BRT Project and Scope Phase of the San Pablo Improvement Project (7-0-0-0).

Ayes: Directors Bischofberger, Jaquez, Kaplan, Hayashi, Peeples,
Vice President Harper, President Wallace - 7

Noes: None - 0

Abstain: None - 0

Absent: None - 0

The above order was passed and adopted on March 2, 2005.

Rose Martinez, District Secretary

By ___________________________
Construction phases of the BRT and any subsequent changes in the cash flow and financial plan documents.

**Fiscal Impact:**
No direct impact to District Operating funds. Provides up to $20,001,000 in Measure B funds for the Telegraph portion of the Telegraph/International Boulevard/East 14th Street Project, leaving approximately $3,680,000 available for additional improvements.

**Background/Discussion:**
In November 2004, an Update on the Measure B Quality Bus Funding was presented to the Board. At that time the Board was advised that the Alameda County Transportation Improvement Agency (ACTIA) was proposing to revise the Project Specific Agreement that AC Transit entered into in 2002. ACTIA was proposing this change to resolve the issues centering on the potential to use a portion of the Measure B funding for additional improvements on the San Pablo BRT. Some members of the community alleged that these funds could not be used for the project as proposed by AC Transit in the original Project Specific Agreement which utilized the Measure B funds for both the Telegraph and the International Boulevard/East 14th Street portions of the corridor. ACTIA subsequently determined that their Strategic Plan limited the use of Measure B funds to the Telegraph portion of the corridor and/or the San Pablo corridor. While AC Transit disagree with ACTIA’s position, and has documented its intent for use of these funds throughout the process, to avoid further delays, AC Transit has agreed to revise these agreements to comply with ACTIA’s desire to limit the funding to the Telegraph portion of the corridor.

ACTIA has proposed a Letter of Agreement that will allow a portion of the Measure B funds to be used to assess the costs of implementing improvements to the San Pablo BRT corridor that have been identified and agreed to by members of the San Pablo Technical Advisory Committee. Once this work is completed, ACTIA and AC Transit will prepare Project Specific Agreement No. 7B – San Pablo Corridor Improvements.

**Prior Relevant Board Actions/Policies:**
GM Memo 02-191, June 20, 2002; Adopt Resolution No. 2060 Authorizing The General Manager To Enter Into Agreements With The Alameda County Transportation Improvement Authority To Implement Measure B Projects For The Alameda-Contra Costa Transit District

**Attachments:** None

**Approved by:**
Rick Fernandez, General Manager
Deborah McClain, Chief Financial Officer

**Prepared by:**
Joan P. Martin, Manager-Capital Planning & Grant Mgmt.

**Date Prepared:**
February 7, 2005