

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



**MINUTES**

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:***

Councilmember Noel Gallo

Councilmember Rebecca Kaplan

***City of San Leandro:***

Councilmember Pauline Cutter

Councilmember Corina Lopez

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**The East Bay Bus Rapid Transit Policy Steering Committee held a special meeting on Thursday, July 9, 2015. The meeting was called to order at 2:04 p.m. with Chair Ortiz Presiding.**

**1. Roll Call**

**Committee Members Present:**

Director Elsa Ortiz, Chair

Director H. E. Christian Peoples (Alternate)

President Greg Harper

Councilmember Pauline Cutter

Councilmember Corina Lopez

Councilmember Noel Gallo

Councilmember Rebecca Kaplan

**Committee Members Absent:**

Supervisor Nate Miley

Caltrans District Director Bijan Sartipi

**AC Transit Staff Present:**

Interim General Manager Kathleen Kelly

General Counsel Denise Standridge

District Secretary Linda Nemeroff

Acting Chief Planning and Development Officer Aida Asuncion

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:

- Federal Transit Administration Small Starts Grant Agreement which secured the remaining \$27.4 million in Federal Funding;
- Grants awarded to the City of Oakland to supplement infrastructure improvements;
- Housing and commercial developments underway along the BRT corridor;
- BRT Technical Assistance Program and City of Oakland Business Sustainability Program to support businesses during the transition;
- Award of construction contracts for advanced utility relocation and parking lot construction;
- Continued progress by the interagency team to resolve technical issues, develop cost-effective programmatic solutions, and outreach efforts.

Councilmember Kaplan noted that the City of Oakland had obtained grants that will enhance and strengthen the corridor and has contracted with Oakland Business Development Center to develop and implement the Business Impact Mitigation Program. She added that constructive meetings were had between Oakland and AC Transit on ways to save money during construction and that a study about business traffic in the Temescal neighborhood revealed that customers who were shopping were getting to and from the shops on the AC Transit bus.

Councilmember Gallo expressed appreciation to the neighbors and merchants of the corridor. He asked that commitments be kept in regard to the \$2 million in business assistance and asked that if anything changes regarding previous commitments, that staff bring those issues forward. He also stressed the importance of keeping the residents informed and was glad to hear there would be a local hire program. With regard to Derby Street, Councilmember Gallo requested that construction occur on the weekend as to not disrupt the school. He also commented on the parking impacts on merchants and the need to enhance, foster, and develop greater cooperation between the governmental bodies and to make sure merchants are informed of all actions on a regular basis.

Mayor Cutter was supportive of pursuing more grant funds in order to be able to do special things within the scope of the project. She also appreciated the changes in San Leandro whereby one stop that was going to block handicap access in front of a chiropractic business was moved and another change where the original design would have taken out one of the entrances to the BART parking lot. She added that San Leandro is excited to work with AC Transit on the project, noting that the city contributed funds to enhance another station.

Councilmember Lopez commented that two of the stations were located in her district and she was looking forward to working with AC Transit on the effort and its success.

### **Information only.**

## **4. Consider approving the East Bay Bus Rapid Transit (BRT) Policy Steering Committee minutes of March 24, 2014 and September 30, 2014.**

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

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

ABSTAIN:2: Lopez, Peoples

ABSENT:2: Miley, Sartipi

**Information Items:**

**Public Comment (taken on Items 5 and 6):**

- Manuel Romero, Romero Glass Studios, asked about parking mitigations and the commitment to do what was promised for the merchants that will be impacted by the project. He also wanted to know how this program will work and when will it start.
- Mr. Guerrero echoed the comments of Mr. Romero because the Fruitvale merchants need more parking. He added that small businesses need help and will not survive without help.
- Think Le, business owner in the Eastlake District, was concerned about parking and hopes AC Transit keeps its promises to business owners, noting that public parking is needed in the center of Eastlake.
- Allen Nguyen, Generation Beauty Supply, commented that his business will be affected in a harsh way because it is dependent on customers having easy access to his wholesale business. He hoped that AC Transit keeps its promise for a forgivable loan to help the merchants. He added that he has already been putting money out of his own pocket to adjust access to his business. He added that he does not have enough funds to have parking in the back of his business.
- Susan Chen, business owner, commented that three things are needed: 1) \$2 million, 2) loan program from the City of Oakland, and 3) parking. She added that she and her husband own an auto repair business and the BRT project will have a major impact on their business.
- Antonio Vazquez, owner of Jalisco Restaurant, commented that money for the businesses is needed. He added that he has been closed for two weeks to renovate his business for the project and he is having trouble getting his permits from Oakland and is losing money because of it. His business is hurting and renovation work can't continue without the permits. He felt the forgivable loan would help.
- Andy Nelson appreciated the comments that were made about Temescal, but East 14<sup>th</sup> Street is not Temescal and the businesses do not fit into the transit model. Businesses require vehicle access and 1) there needs to be a parking lot in Fruitvale and Eastlake, 2) the \$2 million needs to be restored, and 3) the City of Oakland needs a program that provides direct assistance to help the merchants.
- Geoffrey Johnson, TransForm, was excited about the latest developments in the project, noting that he grew up Oakland riding the bus. He added that sometimes the voice of the rider goes unheard and this project will help them.

Councilmember Kaplan expressed concern that some merchants were spending money before the program was underway and asked Oakland City Staff to address questions regarding the issue.

*[Director of BRT David Wilkins gave a PowerPoint presentation on Items 5 and 6 which is incorporated into the file by reference.]*

## 5. Key Program Activities

- **DOT Local Hire Pilot Program**

Andrea Lowe, consultant on the BRT Team, gave an overview of the pilot program.

In response to a question from Mayor Cutter, staff assured her that the Local Hire Program applied to both San Leandro and Oakland. Councilmember Gallo commented on the program's importance and the need to ensure that local hiring was representative of the population.

- **Business Impact Mitigation Plan and Funding**

Director of BRT David Wilkins and Michele Bryd, City of Oakland Housing and Community Development, gave an overview of the plan and funding.

Councilmember Gallo asked if the commitment for AC Transit to provide \$2 million for the Technical Assistance Program had been resolved. Interim General Manager Kathleen Kelly confirmed that the matter had been resolved.

Chair Ortiz asked clarifying questions about funding for the Business Technical Assistance and City of Oakland Business Sustainability Programs.

Councilmember Kaplan thanked Michele Burg for her efforts to pull all of the funding together, including the additional grants for the Business Interruption Fund.

- **Oakland Parking Improvement Plan**

Christine Calabrese presented an overview of the Parking Improvement Program for the BRT Project. Robert Reese of Fehr & Peers reviewed the parking impacts and improvements.

Councilmember Kaplan pointed out that the Eastlake area is growing and is more impacted by parking loss issues. City staff will be looking into an additional lot for that area and she hoped that staff was working toward that. She also wanted to know if there were areas where curb side bus stops would still be in use during construction. Mr. Reese advised that there were, one would be at 45/46th Avenue, but he could not speak to the additional stop changes. Mr. Wilkins advised that could research the issue and prepare a response.

Director Peebles asked how many spaces were new metered spaces and how many would be spaces where one per block vending machines were being replaced by individual parking meters. Mr. Reese responded that, at this point, staff did not identify what type of metering device/system would be installed.

With all the improvements happening near 35th and International for the Unity Council Project, Councilmember Gallo asked if the city was proactively looking for parking to substitute for the displacement of parking. Mr. Reese advised that the next step is to

determine how to deal programmatically with parking as businesses evolve as a result of redevelopment, etc.

- **Program Schedule and Budget**

Senior Project Manager Rama Pochiraju gave an overview of the program schedule and budget.

Director Harper asked about funding for the budget and contingency for construction and wanted to know why staff felt the project would be over budget. Mr. Pochiraju advised that as a result of the extended duration of the project and unfunded needs, the contingency level will go below acceptable levels to enter into construction.

Councilmember Gallo asked if the project was on schedule. Mr. Pochiraju reported that construction will start in February 2016 and be substantially complete by November 2017. Mr. Gallo asked the governmental bodies to work together to keep the businesses along the corridor informed about construction activities and work by utility companies.

Director Peoples commented that the City of Oakland's public works department should be communicating with PG&E because it is coordinating the work. Mr. Gallo explained that BRT work was being done at the same time and was not communicated with the merchants.

Mayor Cutter asked if there was a way to address paving beyond Bellevue to Dutton, which is in need of fixing, by getting Caltrans to accept responsibility. She added that the buses that will use this are to go from the single lanes to the dedicated and would like to include this in the project before money runs out. Mr. Pochiraju advised that this issue should be raised at the Caltrans monthly meetings to see if more funds can be provided by Caltrans to fix it.

Director Harper pointed out that there are issues with the construction at 17<sup>th</sup> Street and Telegraph Avenue in Oakland, noting that there needs to be better coordination between contractors as to not place unreasonable limitations on businesses.

**The item was presented for information only.**

## **6. BRT Project Update**

Senior Project Manager Rama Pochiraju gave a general overview of the three bid packages.

- **Bid Package 1 – Utility Relocation**
- **Bid Package 2 – Parking Mitigation Lots and Fruitvale Bypass**

Project Manager Mitra Moheb gave an in depth overview of Bid Package 2, including outreach, the purchase of parking lots, and Fruitvale bypass. Ms. Moheb explained that the Fruitvale bypass is a necessary traffic mitigation identified in the environmental study for the project.

- **Bid Package 3 – Major Roadway, Systems, Landscaping and Station Construction**

Ms. Moheb also provided additional information with regard to Bid Package 3. Chair Ortiz commented that the bids for major roadway construction can be much higher than anticipated, which may create issues with the budget.

Chair Ortiz asked what the cost per month would be if the project was delayed. Ms. Moheb advised that the soft cost would be approximately \$100,000 a month.

Councilmember Gallo asked if all the issues with Union Pacific Railroad and the City of Oakland relative to the Fruitvale bypass had been resolved. Ms. Moheb reported that the issues with Union Pacific Railroad were not fully resolved and that the City of Oakland is now involved and assisting the District.

Christine Calabrese commented on the mitigation of parking and business concerns, noting that there would be an open house and community outreach working group meeting on July 30<sup>th</sup> where concerned individuals can review the parking impact program, landscape improvements and hear about the Business Impact Mitigation Programs. More details are to follow.

Mayor Cutter asked about surveillance cameras and what the camera policy was going to be (real time, line of vision, retention, access, etc.). She asked that staff keep the Committee informed about policy developments in this area.

Director Harper asked what types of things contingency could be used for. Mr. Wilkins advised that it was for unforeseen conditions found during construction, and unforeseen delays due to things like weather.

**The item was presented for information only.**

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

The next meeting date will be determined at a later date.

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

Councilmember Kaplan requested to see pictures of the buses once they are available.

**9. Adjournment**

There being no further business to come before the committee, the meeting adjourned at 3:58 p.m.

Respectfully submitted,



Linda A. Nemeroff, District Secretary