

Meeting of the East Bay Bus Rapid Transit Policy Steering Committee

MINUTES

Thursday, February 15, 2018

2:00 p.m.

2nd Floor Board Room

1600 Franklin Street

Oakland, California 94612

PSC Members:

AC Transit:

President Elsa Ortiz, Chair

Director Greg Harper

Director H. E. Christian Peeples

Alameda County (Ex Officio):

Supervisor Nate Miley

Metropolitan Transportation Commission/Caltrans:

District Director Bijan Sartipi

City of Oakland:

Council Member Rebecca Kaplan

Council Member Noel Gallo

City of San Leandro:

Mayor Pauline Cutter

Council Member Corina Lopez

The East Bay Bus Rapid Transit Policy Steering Committee met on Thursday, February 15, 2018. The meeting was called to order at 2:06 p.m. with Chair Ortiz presiding.

1. Roll Call

Committee Members Present:

President Elsa Ortiz, Chair

Director H. E. Christian Peeples

Director Greg Harper

Councilmember Rebecca Kaplan (arrived at 2:14 p.m.)

Councilmember Noel Gallo

Mayor Pauline Cutter

Councilmember Corina Lopez

Committee Members Absent:

Supervisor Nate Miley

Caltrans District Director Bijan Sartipi

AC Transit Staff Present:

General Manager Michael Hursh

General Counsel Denise Standridge

District Secretary Linda Nemeroff

Executive Director of Planning and Engineering Ramakrishna Pochiraju

2. **Public Comment** *(For items not on the agenda. Two minutes are allowed for each speaker.)*

There was no public comment offered.

3. **Consider Approving the BRT Policy Steering Committee Minutes of October 5, 2017.**

The minutes were not acted on because there were not enough Committee members present (at the time the minutes were considered) who had also attended the last meeting. The minutes will be placed on the agenda for the next Committee meeting.

4. **Chair's Report on Pertinent Actions of the AC Transit Board of Directors.**

Chair Ortiz reported on the following:

- Completion of construction in the southern part of the corridor in East Oakland and San Leandro (Segment A);
- Completion of outside area improvements and signal pole and street light installations in Zones 8, 10, and 12 in Oakland;
- Eight BRT station platforms are in interim condition status or under construction; five in Oakland and three in San Leandro with work on another five platforms to start in the next few weeks;
- Endorsement by the City of Oakland of the District's new construction implementation plan which, would allow the contractor to perform work in more areas in order to complete the project sooner;
- Preconstruction surveying, potholing, exploratory investigations and utility relocations and adjustments under way in the remainder of the BRT corridor with major roadway work expected to begin in the summer; and
- Work by the BRT community outreach team to address construction impacts on local businesses and stakeholders along the corridor.

5. **BRT Project Updates:**

[The PowerPoint presentation given at the meeting is incorporated into the file by reference.]

- a. **Construction Progress Update.**
- b. **Project Challenges, Issues, Mitigations.**

Director of BRT David Wilkins gave an overview of construction progress to date, the project schedule and budget, and project challenges and mitigations. He also displayed a sample of the station artistic enhancement for members of the Committee and the public to view. In addition, the District's proposed plan for the northern layover facility was accepted by the City of Oakland in-concept and the value-engineering exercise for the San Leandro Transit Center was complete and would soon go out for bid. With regard to the program schedule and budget, Mr. Wilkins advised that staff was striving

for an earlier than projected revenue service date. He also reviewed highlights of the Revised Construction Implementation Plan before taking questions from the Committee.

With respect to costs, President Ortiz sought clarification on the areas where utility relocations were occurring (streets or platforms). Mr. Wilkins responded that utility relocations occurred on streets. Executive Director of Planning and Engineering Ramakrishna Pochiraju added that all utility relocations around curb lines and traffic signals were being completed as part of Bid Package 3, noting that the work being done in Segment A would not cost the District very much money because franchise rights from Caltrans had been secured in this area. However, costs associated with utility relocations in Segment B within the City of Oakland would be far greater because the District did not have franchise rights in this area. General Manager Michael Hursh added that as the BRT project progressed further into Oakland, the District would face more risk with respect to the cost of utility relocations.

Director Harper raised concern with the early delivery of the BRT buses and the expiration of vehicle warranties before the service even began. Mr. Hursh reported on staff's efforts to work with NewFlyer to delay the delivery of the vehicles and extend vehicle warranties by eight or nine months provided the vehicles were driven 10 miles a week. Director Harper was also concerned about the warranty related to the doors of the bus, which open and close frequently and were likely to have problems. Mr. Hursh advised that the buses were already being used for training and were similar to an articulated bus the District already operated. He added that the timing of the CAD/AVL, the vehicles, and the construction project were fairly well aligned.

President Ortiz expressed concern that the project was not progressing at a pace that would allow service to start by the end of 2019. Mr. Hursh advised that the City of Oakland had granted approval to move ahead with traffic signal replacement, advanced potholing for utility relocations, re-sequencing of the work, and was allowing work to occur in larger zones. He solicited help from the City of Oakland and further complimented their staff for their efforts to speed up the progress of the project.

Councilmember Kaplan advised that she had offered to have the Oakland City Council take action to authorize some of the changes at the last PSC meeting, but had been deferred. Mr. Hursh advised that staff was still working together to make progress and requested that the representatives from Oakland on the Committee continue to encourage staff to work with the District.

Councilmember Gallo commented that sales tax generation on International Boulevard had decreased significantly, and asked when the service would be operational. Mr. Hursh advised that the published date of completion was December of 2019, but could be completed sooner with cooperation from the weather and City staff. He added that President Ortiz's concerns about the cost of utility relocations were justified due to the lack of documentation on the location of underground utilities, which posed a significant risk to the project. Mr. Hursh solicited help from the City of Oakland with

regard to franchise rights and President Ortiz asked Councilmembers Kaplan and Gallo for their assistance in securing these rights. Councilmember Kaplan advised that due to the City of Oakland's charter, councilmembers were prohibited from directing staff; however, if there was something that could be done to make the project go faster, Oakland representatives on the Committee could introduce an action to go before the City Council. Mr. Hursh advised that Public Works staff had helped to restructure the work to make it go faster.

Director Peoples advised that he raised the issue of franchise rights at a recent breakfast sponsored by EBMUD and received a lot of push back. He added that EBMUD did not want AC Transit to have franchise rights because EBMUD would then be responsible to make repairs or upgrades to underground utilities.

With regard to the station art, President Ortiz asked if there would be protection from graffiti. Mr. Wilkins advised that the paint being used would be graffiti resistant.

Mayor Cutter asked about plans for signage at the San Leandro Transit Center and what BART could possibly do to help enhance signage, commenting that multiple buses would stop there as well as the Links shuttle. Mr. Wilkins advised that staff would research the question and follow-up with Mayor Cutter after the meeting. Director Peoples reported that BART is working on wayfinding at a number of stations, but was unsure if San Leandro was one of them.

With regard to the budget, Mr. Hursh advised that \$23 million was still needed to complete the project, but the total contingency deficit was at \$39 million. Director of Management and Budget Chris Andrichak advised that of the \$39 million, approximately \$25 million had been set aside. In addition, SB1 monies had been requested from the state.

Councilmember Lopez requested that the Committee receive an explanation of the funding for the project in Excel format for review at the next meeting.

Director Harper commented that instead of discussing "challenges and issues", staff should provide information to the Committee on "challenges and risks", noting it was important to know what risks lie ahead.

No action was taken. The item was presented for information/discussion purposes.

c. Community Outreach Update.

External Affairs Representative Claudia Burgos gave an update on community outreach activities along the corridor, including door-to-door outreach in the active construction zones, advanced outreach in the upcoming zones, and complaint resolution and troubleshooting construction impacts. She added that the two main themes staff hears from business owners are parking impacts and the need for quicker completion of the

project. She further commented on outreach communications to stakeholders and participation in community events.

President Ortiz asked if BRT information was available on each city's website. Ms. Burgos advised that the City of Oakland had a link to the District's website and that she would follow up with the City of San Leandro. She also reported on the recent flooding of the BRT Information Office.

No action was taken. The item was presented for information/discussion purposes.

d. Project Labor Agreement, Construction Careers Policy and Hiring Update.

Contracts Compliance Administrator Phillip McCants presented an overview of the progress achieved toward meeting workforce utilization goals and Disadvantaged Business Enterprise (DBE) utilization goals.

Councilmember Lopez asked why the number of hours worked by San Leandro residents was so low. Mr. McCants explained that the project goal was 50% and this percentage was a combination of both Oakland and San Leandro. Any combination of the two that reaches 50% meets the goal. It was also a reflection of who gets dispatched onto the project through the unions and the availability of workers. He added that Oakland had a larger pool of workers. President Ortiz asked what percentage of the project was in Oakland versus San Leandro. Mr. Wilkins responded that 85% of the project was in Oakland and the remainder was in San Leandro.

Councilmember Lopez also asked if the 63 workers listed in the report was the total number of workers on the project or if there were other workers employed that were not included in the total that were coming from cities other than Oakland and San Leandro. Mr. McCants advised that the 63 workers were local residents. There were also other workers on the project outside of this number, but he would need to get back to the Committee on the head count. Councilmember Lopez requested that information be provided on the actual percentage of the workforce that is local. Mr. McCants recounted that 31% of the workers were actually local as indicated on Slide #18.

President Ortiz asked if DBE figures presented included women. Mr. McCants advised that a DBE firm could be a woman-owned firm, but the main criteria was whether the firm was socially and economically disadvantaged.

No action was taken. The item was presented for information/discussion purposes.

With regard to general matters, members of the Committee inquired about the following:

Councilmember Kaplan asked what was being done to increase the availability of Clipper Cards. Mr. Hursh advised that the Metropolitan Transportation Commission does not

have the ability to add more vendors under the existing card program and continues to defer to Clipper 2. He advised that AC Transit will likely have to do its own Clipper card distribution. Councilmember Kaplan suggested that the various community meetings attended by staff provide an opportunity to sell Clipper cards for \$20. Staff advised that free Clipper cards were already being given away at community events. Councilmember Kaplan urged that cards with \$20 loaded onto them be sold at events.

Councilmember Lopez suggested that transit centers have a kiosk to purchase Clipper cards, which would be more convenient for transit users. Mr. Hursh explained the limitations of the existing Clipper card and gave an overview of the modernized features of Clipper 2.

Councilmember Gallo confirmed the revenue start date of December 2019, that the project was now 20% complete, and the need for approximately \$20 million to complete the project. Mr. Hursh advised that the District had acquired the services of three financial consultants to help find the funds necessary to complete the project.

Mayor Cutter advised that she wanted cooperation from Caltrans to re-pave an area of the roadway near the BRT Project since they would have to repave it anyway. She felt it might be prudent to meet with elected officials in Sacramento in order to motivate Caltrans to do the work.

6. Schedule Date and Time of Next Meeting.

The next meeting was scheduled for Thursday, May 31, 2018 at 2:00 p.m.

7. Future Agenda Items/Review List of Pending Items.


Director Harper requested an update on the status of sponsorships and naming rights at the next meeting.

Councilmember Lopez requested that the Committee receive an explanation of the funding for the project in Excel format for review at the next meeting.

8. Adjournment

There being no further business to come before the Committee, the meeting adjourned at 3:07 p.m.

Respectfully submitted,



Linda A. Nemeroff
District Secretary