

LIVERMORE AMADOR VALLEY TRANSIT AUTHORITY

Altamont Regional Rail Working Group

Minutes of April 12, 2017 Meeting

1. Call to Order and Pledge of Allegiance

Committee Chair Scott Haggerty called the meeting to order at 1:32pm.

2. Roll Call of Members

Members Present

Supervisor Scott Haggerty (Chair), Alameda County
Mayor Pro Tem Veronica Vargas, City of Tracy
Supervisor Bob Elliott, San Joaquin County
Vice Mayor Don Biddle, City of Dublin (alternate for David Haubert)
Vice Mayor Jerry Pentin, City of Pleasanton (alternate for Jerry Thorne)
Mayor John Marchand, City of Livermore
Board Chair Bob Johnson, SJRRC/ACE
Board Chair Steven Spedowski (Livermore), LAVTA
CEO Dale Kaye, Innovation Tri-Valley Leadership Group
Policy Director Josh Huber, East Bay Leadership Group

Members Absent

Mayor Jerry Thorne, City of Pleasanton
Mayor David Haubert, City of Dublin
Board Member John McPartland, BART
CEO Michael Ammann, San Joaquin Partnership

3. Public Comment

Dale Kaye, CEO from Innovation Tri-Valley Leadership Group, arrived during public comment.

Robert S. Allen

Mr. Allen addressed the Altamont Regional Rail Working Group regarding the BART to ACE Rail connection. Mr. Allen stated that Livermore's General Plan calls for BART at grade in the I-580 median to a Greenville/I-580 station. From there let BART curve under the westbound I-580 structure onto the former SP roadbed for less than a mile more to an intermodal station with ACE and a BART train yard. Possibly an ACE train yard also.

BART, which runs in subways with about 13' of clearance above top of rail, will easily fit in a widened median at a modest cost. Mr. Allen is grateful to the 8,400 Livermore registered voters who signed our BART on 580 initiative in 2011 paving the way for an efficient, cost-effective rail link between BART and ACE.

Assemblywoman Catharine Baker

Assemblywoman Baker thanked the Working Group for what they have accomplished, and what they will accomplish in the future. Many of the leaders in the room have been working on the

issue of connecting BART to ACE for a long time. The Assemblywoman appreciated the collaboration with leaders of all levels of government on both sides of the Altamont. The best opportunity to see this project go forward was to take it into our own hands. BART has many items on their plate with a lot of work to do and there are many models across the state for communities taking over issues like this on how to connect interregional areas and rail more efficiently. Assembly Bill (AB) 758 allows this to take place.

Assemblywoman Baker stated that the Working Group needs to have a singular focus in the legislation created to find the right type of connection and have the consensus of the community. The group also needs to leave open the possibilities for who will operate the system. Assemblywoman Baker hopes that the Working Group can come to a consensus today on the various issues of importance so that Assemblywoman Eggman and she can receive the recommendations.

4. Minutes

It was noted to amend the March 8, 2017 minutes Agenda Item 3 paragraph two to state 8,400 signatures and to remove 840 signatures.

Approved: Vargas/Marchand

Aye: Haggerty, Biddle, Marchand, Vargas, Pentin, Spedowski, Elliott, Johnson

No: None

Abstain: None

Absent: Haubert, McPartland, Thorne

5. Language for AB 758 (Eggman)

Executive Consultant Frank Wilson stated that the language of the legislation is tremendously meaningful for the Working Group and what the future pretends. Executive Frank Wilson requested that the Working Group go over some late change requests to the legislation language and to have a general discussion before a vote. The legislative process is well underway in Sacramento and this work needs to be completed in a timely manner. AB 758 creates a real authority to collect money, spend money, and advance the project through construction. The legislation language was sent for review prior to this meeting, but the score card provided to the Working Group today has some last minute changes that were requested. Executive Consultant Frank Wilson briefly went over all the late changes prior to opening this up for comment and discussion.

LAVTA Board Chair Steven Spedowski stated that his understanding is that we are trying to keep the legislation general to keep things simple, so that we can deal with details in the bylaws of the Joint Powers Authority (JPA) once that is created. Executive Consultant Frank Wilson answered that Board Chair Steven Spedowski is correct, so that they have maximum control and maximum flexibility.

The first item discussed is Section 132655 to increase the authority to 16 members. After deliberation the Working Group agreed to keep the increase of members to 14. Supervisor Bob Elliott requested that 7 members from Alameda County and 7 members from San Joaquin County should make up the membership and would be unable to support this change if it is not equal for voting.

The second item discussed is not currently in legislation and it pertains to equivalent service to BART from Livermore, if not BART technology. The Working Group wants the wording changed to "Rail service to BART from Livermore, if not BART technology" to not constrain themselves to one type of service.

The third item discussed is Section 132675 to remove non-compete clause for funding (Livermore, Baker). Dan Leavitt explained that the non-compete clause protects Local Transit Funds (LTF) and that San Joaquin County has struggled with a shortage of these funds. ACE would not be able to support this Assembly Bill if the language was taken out and the request from Dan Leavitt is to change the clause to the following by deleting out a few words: 132675. All Unencumbered moneys and assets dedicated for the completion of all project phases shall be transferred to the authority for the completion of the connection. The authority shall pursue any and all sources of funding for the Alameda-San Joaquin Regional Rail Authority; provided, however, that neither the executive director/staff, on behalf of the authority, nor the Board shall apply for funds derived from the Transportation Development Act Funds as defined in Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the California Public Utilities Code for which any member entity of the authority is also an applicant or approving member entity without the express written consent of that member. The Working Group decided to not include the proposed clause.

The fourth item discussed is Section 132655 for Mountain House and Banta to join the Authority (Vargas). Supervisor Scott Haggerty explained that in order to sit on the ACE Board the train must run through your city. Mayor Pro Tem Veronica Vargas likes the language that members must be where the rail possibly has stations. Supervisor Scott Haggerty thinks that the Supervisors of the Counties should appoint the city members. Supervisor Scott Haggerty asked that San Joaquin County members decide on who the members will be. Assemblywoman Baker noted that both she and Assemblywoman Eggman were comfortable with 14 members that would have the most stake in the Authority. Assemblywoman Baker also stated that Alameda County contributed more funds for the BART to ACE connection and felt that the balance should lean towards the Alameda County side, since they have more stake in the game. Assemblywoman Baker would like the voting members to be 8 from Alameda County and 6 from San Joaquin County.

The fifth item discussed is Section 132655 that all Authority board members vote (Baker). The Working Group members agreed unanimously to all members voting.

The sixth item discussed is not currently in legislation to address timing of rolling stock if provided for operations (Livermore). The Working Group unanimously rejected this last minute change.

The seventh item discussed is not currently in legislation regarding parking facilities turned over to locals for operations (Livermore). The Working Group unanimously rejected this last minute change.

The eighth item discussed is Section 132699 the dissolution language vague (Perata). The Working Group unanimously rejected this last minute change.

The ninth item discussed is Section 132651 in Phase I, delete "to San Joaquin County" for more flexibility (ACE). The Working Group unanimously rejected this last minute change.

The tenth item discussed is Section 132685 a clerical change to delete word "not" in last sentence of section (staff). The Working Group unanimously accepted this clerical change.

The eleventh item discussed is Section 132655 a clerical change to operations of Authority board included in Bylaws (staff). The Working Group unanimously accepted this clerical change.

The twelfth item discussed is Section 132680 a clerical change to include Silicon Valley rapid transit corridor (staff). The Working Group unanimously accepted this clerical change.

Supervisor Scott Haggerty asked if the Working Group has consensus on all the items discussed. Supervisor Bob Elliott does not support to increase to 14 members without it being equal representation from both San Joaquin County and Alameda County. Supervisor Scott Haggerty stated that he liked Assemblywoman Baker's explanation for Alameda County have 8 members and San Joaquin County having 6 members, due to contributions. Supervisor Haggerty responded that they will vote on the member increase separately from all other items and do two roll call votes. The roll call vote was conducted twice, due to an ex-officio non-voting member seconding the motion on item one.

Supervisor Scott Haggerty requested roll call for the first item "Increasing the Authority to 14 members":

Approved: Vargas/Marchand

Aye: Haggerty, Biddle, Marchand, Vargas, Pentin, Spedowfski, Johnson

No: Elliott

Abstain: None

Absent: Haubert, McPartland, Thorne

Supervisor Scott Haggerty requested roll call for all other items discussed (Item 2-12):

Approved: Vargas/Marchand

Aye: Haggerty, Biddle, Marchand, Vargas, Pentin, Spedowfski, Johnson, Elliott

No: None

Abstain: None

Absent: Haubert, McPartland, Thorne

The Altamont Regional Rail Working Group approved Assembly Bill (AB) 758 legislative language with recommendations and directed Executive Frank Wilson to craft and submit a letter of support on behalf of the Working Group signed by Chair Scott Haggerty

Approved: Vargas/Spedowfski

Aye: Haggerty, Biddle, Marchand, Vargas, Pentin, Spedowfski, Johnson, Elliott

No: None

Abstain: None

Absent: Haubert, McPartland, Thorne

6. Renaming of Altamont Regional Rail Working Group

The Altamont Regional Rail Working Group approved the name for the organization to be Alameda - San Joaquin Regional Rail Authority.

Approved: Marchand/Pentin

Aye: Haggerty, Biddle, Marchand, Vargas, Pentin, Spedowfski, Johnson, Elliott

No: None

Abstain: None

Absent: Haubert, McPartland, Thorne

7. Adjournment. The next meeting date is scheduled for May 10, 2017 (Tracy)

Meeting adjourned at 3:23pm.