

# Bay Area Partnership Board

July 19, 2019

Agenda Item 6c

## Regional Measure 3 Update

**Subject:** Update on Regional Measure 3 (RM3) implementation.

**Background:** RM3 was approved by voters on June 5, 2018, and on December 19, 2018, the Bay Area Toll Authority (BATA) adopted a toll schedule phasing in the resulting toll increase. The first dollar of the toll increase was implemented on January 1, 2019.

### Pending Lawsuits

Two lawsuits challenging Senate Bill 595 and RM3 were filed, *Howard Jarvis Taxpayers Assn., Et al. v. The Bay Area Toll Authority, Et al.*, and *Randall Whitney v. Metropolitan Transportation Commission*. Both lawsuits against RM3 had recent favorable Superior Court rulings upholding the measure. However, the appeals period is still open for both lawsuits. The timeline for final resolution of these cases is not yet known.

### Policies and Procedures

While awaiting legal resolution, MTC staff are discussing potential RM3 Policies and Procedures, which are expected to largely follow those of Regional Measure 2. A potential timeline for development and adoption is shown in the table below, although this will depend on legal resolution.

#	Milestone	Potential Timeline
1	Initial outreach to project sponsors via Partnership	August 2019
2	Workshop with RM3 project sponsors	September 2019
3	Release draft Policies and Procedures for comment	September 2019
4	Commission consideration of RM3 Policies and Procedures	Expected November 2019 or later

### Independent Oversight Committee

Senate Bill 595 required BATA to establish a Regional Measure 3 Independent Oversight Committee within six months of the effective date of the toll increase. At its June meeting, BATA established the committee. Each county will appoint two members to the committee; in early May, letters were sent to county boards of supervisors requesting appointees. The committee roster will be kept in BATA Resolution No. 131, Revised, Attachment A; names of appointees received to date will be added at the July BATA meeting and subsequent meetings as necessary. The committee is not expected to meet prior to the resolution of lawsuits.

### Preliminary Project Information

Senate Bill 595 also required project sponsors to submit Initial Project Reports within six months of the RM3 election. Initial staff analysis of these reports found that:

- A majority of projects have a gap in planned or committed funding.
- Several projects have full funding plans, but still require substantial funding commitments.

- Eleven projects, representing approximately 42% of the RM3 capital program, have committed or planned funding for 100% of the project cost.

There are several “umbrella” programs, with individual projects and total costs still to be determined. For programs such as these, including Express Lanes, Goods Movement, Bay Trail/Safe Routes to Transit, North Bay Transit Improvements, etc., staff will engage the partnership/eligible project sponsors, as applicable, in the development of specific program design and guidelines.

Delivering the mobility benefits of projects and programs in RM3 could be a significant work plan focus for the Partnership Board. Many projects span multiple counties and / or are part of a regional or interregional transit corridor. Many projects will be strong candidates for future competitive federal and state funding. Attachment A is a list of the projects and funding amounts included in RM3.

**Issues:** None

**Recommendation:** Information

**Attachment:** Attachment A: RM3 Expenditure Plan



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REGIONAL MEASURE 3 EXPENDITURE PLAN ( <i>\$ in millions</i> )	
OPERATING PROGRAM	
All- Corridor Annual Operating Program	
All Corridors	
Transbay Terminal	5
Ferries (Funding ramps up to \$35 million over five years)	35
Regional Express Bus	20
Annual Operating Program Total	\$ 60
CAPITAL PROJECTS	
Regional Programs	
BART Expansion Cars	500
Bay Area Corridor Express Lanes	300
Ferry Enhancement Program	300
Goods Movement and Mitigation	160
San Francisco Bay Trail / Safe Routes to Transit	150
Capitol Corridor	90
Next Generation Clipper Transit Fare Payment System	50
Regional Programs Subtotal (35%)	\$ 1,550
Corridor-Specific Capital Projects	
Central (San Francisco-Oakland Bay Bridge)	
Caltrain Downtown Extension	325
Muni Fleet Expansion and Facilities	140
Core Capacity Transit Improvements	140
AC Transit Rapid Bus Corridor Improvements	100
Transbay Rail Crossing	50
Interstate 80 Transit Improvements	25
Central Subtotal (27%)	\$ 780
South (San Mateo-Hayward, Dumbarton)	
BART to San Jose Phase 2	375
Tri-Valley Transit Access Improvements	100
Eastridge to BART Regional Connector	130
San Jose Diridon Station	100
Dumbarton Corridor Improvements	130
Highway 101/State Route 92 Interchange	50
Interstate 680/SR 84 Interchange Reconstruction	85
Interstate 680/Interstate-880/Route 262 Freeway Connector	15
South Subtotal (34%)	\$ 985
North (Richmond-San Rafael, Benicia-Martinez, Carquinez, Antioch)	
Contra Costa 680/State Route 4 Interchange Improvements	210
U.S. 101 Marin-Sonoma Narrows	120
Solano County Interstate 80/Interstate 680/State Route 12 Interchange Project	150
Interstate 80/Westbound Truck Scales	105
State Route 37 Improvements	100
Sonoma-Marin Area Rail Transit District (SMART) Extension to Windsor & Healdsburg	40
San Rafael Transit Center	30
Richmond-San Rafael Bridge Access Improvements	210
North Bay Transit Access Improvements	100
SR 29 Improvements	20
East Contra Costa County Transit Intermodal Station	15
Byron Highway-Vasco Road Airport Connector	10
Vasco Road Safety Improvements	15
Interstate 680 Transit Improvements	10
North Subtotal (39%)	\$ 1,135
Corridor-Specific Capital Projects Subtotal (65%)	2,900
Capital Projects Grand Total	
4,450	