

From: VTA Board Secretary
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To: VTA Board of Directors
Subject: From VTA: September 24, 2018 Media Clips



VTA Daily News Coverage for Monday, September 24, 2018

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VTA wants longer hours for carpool lanes and wants to charge drivers of EVs and two-person cars (Daily Post)

VTA is seeking to extend the hours during which drivers have to pay a toll to use express lanes — and to start charging drivers of electric cars and two-person carpoolers to use the lanes.

Mountain View Mayor Lenny Siegel, who learned about the ordinance at a VTA Policy Advisory Committee on Thursday (Sept. 13), said he was “kind of shocked” by the proposal and concerned that the new enforcement rules are being snuck by the public.

“If this is adopted, people who live here — not people who live in Fremont or Modesto — will learn about this when they put in the toll lanes here, and probably no sooner,” Siegel told the Post, noting that he only speaks for himself, not the City Council.

Saratoga Councilman Howard Miller, who chairs the committee, also raised concerns about VTA bringing forward such significant changes while leaving the public “virtually unaware that these changes are going on.”

Siegel said the Metropolitan Transportation Commission was pushing similar rules in different Bay Area counties so that there’s uniformity on the highways.

Miller noted that 500 miles of Bay Area carpool lanes will be converted into express lanes over the next five years. Drivers use FasTrak devices to pay the toll. In Santa Clara County, the toll can vary between 30 cents and \$8 based on traffic.

“Name a freeway, and they’re pretty much converting the carpool lanes into express lanes,” Miller said.

The express lanes on Highway 237 currently operate weekdays in two shifts: from 5 a.m. to 9 a.m. or 10 a.m., and 3 p.m. to 7 p.m. That means drivers get a five- to six-hour break in the middle of the day when the lanes go back to being carpool lanes.

The new ordinance would get rid of that midday break and charge drivers to use the lanes from 5 a.m. to 8 p.m. weekdays.

That’s not the only proposed change. Currently, drivers of “clean-air vehicles,” including hybrids and electric cars, can use carpool lanes even when driving alone. Under the proposed VTA ordinance, drivers of such cars would have to pay half the toll.

Siegel said the special carpool allowance had been an “extremely effective tool” in getting people to buy electric cars and hybrids. The new rules would take that incentive away, he said.

“They call it a discount, but they’re basically applying a toll for the first time for those cars,” Siegel said.

Miller said there’s some precedent for charging clean air vehicles half the toll on the Bay Bridge.

Both Siegel and Miller own electric cars. Miller said he’s never put the Clean Air Vehicle sticker on his car because he thinks carpool lanes should be used for people to share rides, “not for people who buy the right kind of car and get a free pass.”

More than 80% of the people in the carpool lane on Highway 85 use the sticker, Miller said. On Highway 237, it’s 37%.

And two people in a carpool won’t be enough to avoid the toll. The new ordinance would charge those cars half the toll, only allowing carpools of three to use the lanes for free.

Miller sees this as a problem because of how much more difficult it is to coordinate commutes with two other people rather than one. Under the proposed ordinance, drivers would use their FasTrak transponders to indicate the number of passengers.

Siegel said he opposes toll lanes because they privilege the wealthy.

“I’m against using price as a way of allocating the roadways because I think it’s inequitable,” Siegel said.

The 12-member VTA board is made up of 10 City Council members and two members of the Santa Clara County Board of Supervisors.

“It’s an unelected board, and it’s making a decision that really comes out of the bureaucracy and not working with the constituents,” Siegel said.

Siegel contrasted the quiet VTA process with the public engagement process that the city of Mountain View undertook before putting a business tax on the November ballot.

“We went through a long series of meetings with the community, with our businesses, to make sure that people knew what was going on,” Siegel said. “I don’t know when VTA has ever done that. I sure missed it.”

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Voters want a gas tax repeal. Many California leaders call it a horrible idea **(Sacramento Bee)**

No politician would ever promise to make our commutes longer. No voters beg for more crowded highways. Everybody hates traffic. The question is what should we do about it?

And more specifically, how should we pay for it?

We asked the California Influencers, a group of policy and political experts, to weigh in on Proposition 6, which would repeal last year’s gasoline tax and vehicle fee increases to repair roads and fund other transportation projects. While the majority of them spoke against the measure, the wide range of opinions on the volatile topic provides a valuable framework for the campaign ahead.

On one side, the state’s business and labor leaders have put aside their differences in order to oppose the gas tax repeal.

“Proposition 6 would have a devastating impact on our state’s economy,” said Cesar Diaz, legislative and political director for the State Building and Construction Trades Council, predicting increased safety hazards, threats to other state funding priorities and likely job losses if the initiative were passed. “California faces a serious threat from the lack of investment in our transportation system. As we deal with the impacts of population growth and climate change it is imperative that our state move people and goods safely and efficiently.”

“The initiative will stop critical transportation projects and jeopardize the safety of our bridges and roads,” agreed California Chamber of Commerce President and CEO Alan Zaremborg.

“Nothing would set back our efforts to improve public safety and mobility more than passage of Proposition 6.”

Former California Supreme Court Chief Justice Ron George took a more philosophical view.

“It is said that there is no such thing as a free lunch,” George said. “There also is no such thing as getting away with not spending tax dollars to meet California’s growing need for bridges and

roads that are safe for motorists, cyclists, and pedestrians, that are free of potholes, and that are designed to reduce traffic congestion.”

Increases to California's gas tax were approved in 2017 and will continue for years.

But most public opinion polls show that the opponents of Proposition 6 face an uphill fight, as large numbers of Californians support the repeal.

Harmeet Dhillon, Republican National Committee member and partner in the Dhillon Law Group, summarized one of the strongest arguments in favor of the initiative.

“California needs to upgrade its crumbling infrastructure using general purpose funds rather than overtaxing citizens more with the most regressive possible tax, a gasoline tax that hurts the hardest-hit Californians,” Dhillon said. “We should also immediately cease all efforts on the badly designed, outmoded and over-budget ‘bullet train’ fantasy of Governor Brown, and re-purpose any existing budgeted funds to infrastructure repair and upgrades.”

“Proposition 6 will provide immediate financial relief to the California citizens who need it the most: our hardworking middle- to low-income workers,” agreed Linda Ackerman, president of the Marian Bergeson Excellence in Public Service series. “There does not appear to be any real assurance that this raid on their gas tax dollars will not occur once again.”

Former Fresno Mayor Ashley Swearengin opposes the initiative, but also warns that solving the state’s transportation crisis will take much more than additional tax dollars.

“The state also needs aggressive reform to speed up project delivery, public-private partnerships to unlock sources of private capital and ... improved efficiencies in transportation systems at both local and state agencies,” Swearengin said. “Unfortunately, the voices that are loudest in support of raising more revenue are often silent when it comes to also pushing for badly needed reforms.”

“Funding alone is not the answer,” agreed Bay Area Council President and CEO Jim Wunderman. “Improving project delivery of major transportation projects must also be a high priority. We waste untold sums and time on our biggest and most meaningful projects. Expanding our use of public private partnerships to finance, build and operate our transportation infrastructure also holds great promise.

And Kim Belshé, executive director of First Five LA, offered a broader assessment of the costs of inaction, emphasizing the impact on the state’s families.

“Californians currently (have) a transportation system that is bad for our health, bad for our environment and robs families of quality time together. We often hear congestion stymies work productivity, but we rarely hear about its effects on the family,” Belshé said.

“Just as California has focused on renewable energy to reduce the need for fossil fuels and power plants, we must rethink our transportation system to work better for children, families and communities by reducing ... commutes. This means looking at the connections to housing

and jobs and rethinking our streets to be communal spaces where families can accomplish their daily routines without spending hours in soul-crushing traffic.”

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Car-free and carefree in San Jose, thanks to Viva Calle (East Bay Times)

On nearly any warm weekend, you can find something to see and do in San Jose’s hip SoFa district, whether it be outdoor concerts, street markets or art exhibits.

But points south, like San Jose’s Monterey Road?

Not so much. That’s why organizers of the city’s fourth annual Viva CalleSJ — an event that closes six miles of streets to vehicle traffic, and let’s people explore on foot, bike and skates — decided to extend Sunday’s route all the way to Martial Cottle Park..

Residents of the south side and visitors alike were happy to see a community-focused event in an area of San Jose that can, at times, feel disconnected from the bustling downtown the city loves to promote.

“I like seeing events in this part of town because I feel like this part doesn’t get much love,” said Jorge Camacho, an artist who lives in South San Jose said of the event. “It’s super fun.”

Sporting a thick beard, a black jersey with the city’s name across the chest, dark jeans and some roughed-up skating shoes, he and a friend were riding skateboards north toward downtown.

Gigi Vega, a student at San Jose State University, said she drives Monterey Road north for work, school and events, and is accustomed to seeing it jammed with cars.

“It’s nice to be able to have all this space,” she said from the seat of a bike Sunday. She and a friend were seeking food and beer once they reached the northern end of the route.

While organizers set up activities and vendor booths along parts of the route to keep people entertained, the novelty of having the wide corridors of San Jose’s streets — havens designed for cars and trucks — empty for a day seemed to be the biggest draw.

Near Monterey and Alma, with the sprawling Sun Garden Shopping Center to the east and a row of car repair and body shops to the west, hundreds of people of all ages were riding bikes, gliding on roller skates or just moseying along the six lanes of asphalt.

Some people stopped to take photos and wave as a group of cowboys on horseback came trotting up the road, and the horses seemed to chuff in response.

Andy Hamilton, of Willow Glen, was riding his white Schwinn bike. It was his third time riding during Viva Calle, and he said he encourages a large group of people to come ride with him each year.

“Shutting down a significant portion of the main streets to allow us to to cruise with our friends and family — it’s an amazing gesture from the city,” he said. “I’m happy that they take the time and invest the money to disrupt the flow.”

Nicole Truong was out with her husband and three kids, her two daughters riding in a shaded trailer attached to her bike. She said Viva Calle builds a great sense of community.

“You get to see all the funky personalities, and all the funky bikes,” she said.

Also present on the streets were some people riding rented electric scooters from Lime and Bird, which were officially banned from the event. Many riding them said the city should change that policy, as not everyone owns a bike, and walking six miles can be too taxing on a sunny day.

Fernando Santoyo, of San Jose, was getting ready to ride his big boy cruiser bike, and he cued up some reggaeton through his bluetooth speaker, which was wedged into the bike’s bottle holder.

He said closing down the street for bicyclists, walkers and families “changes up everything,” as people are more carefree.

Back at SoFa, people sipped on beers and micheladas, and bopped their heads to the beat of live music from the stage in front of Parque De Los Pobladores.

Chris Ness, of Fremont, was enjoying the slower pace.

“You don’t get to enjoy the city from a car,” he said. “I like being out, seeing the shops, enjoying the city for what it is. I like being in it.”

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[Cupertino approves controversial Vallco plan, sets stage for showdown](#) (Mercury News)

City officials on Friday approved a developer’s application to turn the nearly vacant Vallco Mall into a massive housing, office and retail development under a controversial new state law — setting the stage for a showdown between that plan and an alternative the city is pushing forward.

Cupertino gave Sand Hill Property Company the OK to proceed with its redevelopment plan under SB 35 — a state law passed last year that forces cities to approve certain residential and mixed-use projects, in an attempt to speed up badly needed housing development.

Cupertino city leaders have made clear they would rather not see this plan built, but their hands are tied under the state law. On Wednesday, City Council passed its preferred alternative plan, forged with input from community residents over the past year. Sand Hill now must choose between the two options.

“While the SB 35 application has been approved, the city continues to move forward with the Vallco Special Area Specific Plan, which was approved by the City Council on Wednesday,” Interim City Manager Amy Chan wrote in a news release. “The Specific Plan has been the city’s preferred path from the beginning. Unlike SB 35, that traditional planning process has allowed for community dialogue, discussion of priorities, critique of plans, and negotiation of community benefits.”

But Sand Hill is under no obligation to consider the city’s preferred plan, and with Friday’s approval of its SB 35 proposal, can start tearing down the mall — a step Sand Hill says it may take before the end of the year.

Sand Hill’s SB 35 plan calls for 2,402 housing units, 1.8 million square feet of office space and 400,000 square feet of retail. The city’s preferred alternative plan calls for 2,923 housing units, 1.5 million square feet of office space and 485,000 square feet of retail, as well as community benefits including a new City Hall, a performing arts center and money for local schools.

The city’s approval of the SB 35 plan is “terrific news for Cupertino, who has been striving to do the right thing and be a part of the solution to this regional housing crisis, in spite of a portion of its population that has fought to build a wall around the city,” Reed Moulds, managing director of Sand Hill Property Company wrote in a news release.

Moulds says he hopes to pick the plan that has the “broadest community support and input.”

Meanwhile slow-growth community group Better Cupertino is gearing up to fight both proposals — with a lawsuit and a ballot referendum — setting the stage for a battle that could impact which plan is built. The alternative plan that the city prefers may be more vulnerable to disruption because it is not protected by SB 35 safeguards. In response, a dueling group calling itself Collaborative Cupertino launched an online petition to protect the city’s Vallco plan and fight the looming lawsuit and ballot referendum. The petition had nearly 100 signatures Monday morning.

The city was required to rule on the SB 35 plan by Sunday under the state law. Approval was expected — Cupertino city officials already tentatively affirmed in June that the project was eligible for fast-track status under SB 35.

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Conserve paper. Think before you print.

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[Gas-tax repeal backers to launch new campaign to halt California's bullet train \(Los Angeles Times\)](#)

Backers of a November initiative to repeal the gas-tax increase said Monday they will also ask voters to approve a measure in 2020 that would provide funds to fix roads without charging Californians more at the pump, and would halt the state's \$77-billion high-speed rail project.

The ballot measure was announced on the same day the [campaign against Proposition 6 launched television ads](#) saying the repeal will jeopardize funds needed to make California roads and bridges safe.

Supporters of the new initiative to be filed Tuesday say it addresses a criticism of Proposition 6 by Gov. Jerry Brown and others who warn that elimination of the higher gas tax and vehicle fees approved last year will leave the state billions of dollars short of what is needed to repair its deteriorating transportation network.

The new initiative is aimed at "fixing California's roads without raising taxes on struggling working families of our state — and we're proving how it can be done before voters are asked to vote 'yes' on Prop. 6, the gas-tax repeal initiative," said Carl DeMaio, chairman of a campaign committee promoting the repeal measure, in a statement.

Opponents of Proposition 6 declined to comment Monday on the prospect of a new initiative, which they called “fantasy,” saying they are instead focused on fighting repeal of the increased gas tax. But they disputed DeMaio’s claim that there are adequate alternate funding sources, calling it “fuzzy math.”

The new ballot measure would direct the governor to stop construction of a high-speed rail system in California, and require any unspent funds not needed for repaying rail bonds to instead go to other transportation work.

The bullet train’s cancellation was included in the initiative to address concerns by the repeal camp that gas-tax money may eventually be used to make up a funding shortfall on high-speed rail, something supporters of the tax say is not legally possible.

The current budget for the bullet-train project is \$77 billion, up from the original estimate of \$33 billion when the voters approved a bond for the work in 2008. Due to delays, the full system is now planned to start operating in 2033.

The proposed 2020 ballot measure, which would need more than 500,000 signatures to qualify, would also amend the state Constitution by requiring all gas and diesel tax revenue go to road projects exclusively without any of the funds used for mass transit.

Creating a “lock box” to restrict the use of gas-tax money would provide at least \$7.5 billion annually for road repairs, while last year’s increase in the gas tax is estimated to generate \$5.2 billion each year, said DeMaio, a Republican activist, radio talk-show host and former San Diego City Council member.

The proposed new initiative would require all sales tax on cars and car insurance, as well as some fines for traffic tickets, to go to transportation projects, including buses, light rail and bike lanes in a second “lock box” that DeMaio estimates will hold \$7.4 billion annually.

Opponents of Proposition 6 noted that voters in June approved Proposition 69, which required that vehicle license fees and diesel sales tax revenue be used only for transportation purposes.

Opponents of Proposition 6 said Monday that the state needs more than \$130 billion over the next decade to restore the state highway and local street and road systems to a safe condition.

“Once again Carl DeMaio’s fuzzy math doesn’t add up, and puts the rest of us in jeopardy every day as we’re driving on California’s crumbling roads and bridges,” Kiana Valentine of the California State Assn. of Counties said in a statement released Monday. “We shouldn’t let him play politics with our public safety — that’s why California’s cities, counties and public safety leaders are staunchly opposed to this dangerous measure.”

Gov. Jerry Brown signed legislation in April 2017 that increased the state excise tax on gasoline by 12 cents, raised the excise tax on diesel fuel by 20 cents, and boosted the sales tax rate on diesel. The measure, SB 1, also created a new annual “transportation improvement fee” on

vehicle registrations ranging from \$25 for cars valued at under \$5,000 to \$175 for cars worth \$60,000 or more.

The new ballot measure would also require annual performance and efficiency repair audits on road and bridge repair projects.

DeMaio said the new initiative would also strip the state of some power over transportation funds, and give that authority instead to city and county governments to spend on local priorities.

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Cities wrestle over funds for rail crossings (Daily Post)

The cities of Palo Alto and Mountain View are at odds with the city of Sunnyvale over how to allocate funds for rail crossing construction from Measure B almost two years after the sales tax passed, according to city leaders.

“There is no question that from the very beginning, we have heard that there is going to be sort of a shootout over the funds,” Palo Alto Mayor Liz Kniss said. “Kind of what I’ve been hearing is ‘whoever gets there first.’”

The 30-year, half-cent sales tax was passed by 71% of Santa Clara County voters in 2016. Of the \$6 billion it’s set to bring in, \$700 million is for separating the Caltrain tracks from the streets they intersect, a project known as grade separation.

The tracks are set to be electrified in 2022, which will send many more trains down the Peninsula and will back up traffic if the tracks aren’t separated.

Palo Alto, Mountain View and Sunnyvale are the only three cities in the county that are planning grade separation projects. All three are eying the \$700 million from Measure B. The question is: How to divvy it up between the three cities?

Mountain View Mayor Lenny Siegel said his city and Palo Alto think the money should be divided based on the number of grade separations they expect to build, leaving Palo Alto \$350 million for its four grade crossings and \$175 million each for Mountain View and Sunnyvale for their two grade crossings.

But Sunnyvale Mayor Glenn Hendricks said he was “not sure” that the funding should be evenly split by the number of grade crossings. He said there were several factors in deciding how to split up the funds, including whether the cities are all ready to start construction.

Sunnyvale has done some preliminary design work on the crossing at Mary Avenue, where the tracks will stay where they are and the street will go underneath. The city is not as far along with deciding what to do with Sunnyvale Avenue.

Palo Alto’s plans are far from settled, but city leaders are leaning in the direction of blocking off the street at Churchill and Palo Alto avenues and possibly raising or lowering the tracks at

Charleston Road and Meadow Drive. A grade separation at Palo Alto Avenue, where Alma Street connects to El Camino Real, is still on the table.

Mountain View plans to block off Castro Street and build a \$120 million bridge at Rengstorff Avenue.

Hendricks said he wouldn't characterize the negotiations as a fight, but said the cities needed to come to an agreement that they could all support when the VTA board approves it.

"The three cities need to collaboratively work together to find a good solution that talks about being able to get the most number of grade crossings done," Hendricks said. "We need to put together a plan that makes sense for everybody."

Kniss has had to recuse herself from discussions about grade separations because she owns property near the tracks. But she said she knows it's been difficult to nail down an agreement because of the turnover of people involved.

"Frequently the people who are initially involved in some of the discussions are no longer there, so we also have the problem of bureaucratic and institutional memory at the same time," Kniss said. "Someone will say 'I think that's what we said five years ago,' but, again, it's a great lesson that everything should be in writing."

Collection of the Measure B sales tax began in April 2017, but the funds remain in limbo pending the outcome of litigation. In January 2017, retired county planner and Saratoga resident Cheri Jensen sued VTA over the measure, claiming it was illegal because the transit agency didn't adequately specify the transportation projects it would fund. Jensen lost the case, but has filed an appeal. Oral arguments in Jensen's appeal are scheduled for Oct. 9.

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[San Jose towers could get a lot taller downtown](#) (Mercury News)

Downtown San Jose could boast significantly taller buildings, both in the existing core area and the neighborhood where Google is eyeing a transit-oriented village, after the first official review in a decade regarding height limits in the Bay Area's largest city.

Much of downtown San Jose lies beneath or near the flight paths of airplanes going in and out of San Jose International Airport. Depending on the downtown section where a building might be constructed, city rules place height limits on buildings ranging from roughly 120 feet to 200 feet — which works out to roughly 10 to 16 stories.

"There is a real focus on density in downtown San Jose, and the only way you can create density that makes a difference is to try to have higher buildings," said Scott Knies, executive director of the San Jose Downtown Association.

San Jose city officials, amid a burst of new towers and development proposals, as well as major expansions being eyed by Google and Adobe Systems in the city's urban core, have launched a major study of raising the heights of buildings in the downtown area.

About four scenarios are being considered by San Jose policy makers and city staffers. The first public airing of the alternatives for higher buildings occurred Monday at the City Council's Community and Economic Development Committee, chaired by Councilman Johnny Khamis.

"The real issue, the real focus, is on the core downtown area plus the Diridon Station area," said Kelly Kline, chief economic development and land use officer with the office of San Jose Mayor Sam Liccardo. "There could be fairly significant opportunities in the Diridon Station area for higher buildings."

San Jose officials, as they ponder how to enable much higher buildings downtown, must balance the needs of airlines that use the city's fast-growing airport with the desire by local business leaders and property owners to increase density.

"Our hope is to develop a consensus viewpoint with all of the people who care about the downtown and who care about the airport," said Kim Welsh, San Jose's director of economic development. "We are hoping for potential conclusions and a recommended strategy for height limits by the end of this year."

In the Diridon train station area, the highest building is the SAP Center, a 110-foot-tall sports and entertainment complex. The Federal Aviation Administration rules typically would cap buildings at 230 feet in the flight path areas.

"You could have a building twice as high as SAP Center, even in the Diridon Station area," Knies said. "This is an economic issue. It is not a safety issue."

The vast majority of flights wouldn't be affected by a big jump in height limits for downtown San Jose buildings, experts said.

"In analyzing all of the flights connecting to San Jose airport, there are only a handful of flights that could be impacted," Knies said. "It's primarily the flights from Asia."

The debate over the height limits also underscores the interwoven relationship between the airport and the downtown district, John Aitken, San Jose's director of aviation, told the council committee during a presentation Monday.

"Downtown needs the airport, and we need the jobs downtown," Aitken said.

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[**Modernization of Clipper card won't include high-tech features already used in other cities \(Curbed\)**](#)

The Bay Area's Clipper card system, a reloadable transit fare payment method that can be used on numerous Bay Area transit agencies, will soon get an overhaul if officials approve a \$458

million contract Wednesday. But when the new version launches in 2020, known as Clipper 2.0, it will likely serve as an example of local government failing to live up to the region's reputation as the tech capital of the world.

Today, Bay Area transit riders use Clipper to pay for half of all transit trips in the region, roughly 800,000 rides each weekday. Launched as TransLink in 2006, some of its original software dates to the 1990s. The software and equipment upgrade will cost \$165 million while an additional \$293 million is budgeted, mostly to operate and maintain for ten years.

However, critics say that Clipper's upgrade will struggle to compete with private companies, like Uber and Lyft, that are racing to become people's first choice for getting around the region. Both companies offer well-designed apps that continually add new features and refine the user experience. Transit advocates warn that the Metropolitan Transportation Commission [MTC], the agency that runs the Clipper program, has not prioritized good design and demanded burdensome requirements that will make future updates to the system difficult to implement and unnecessarily costly.

"It's a reason why public transit is losing market share to competitors," said Adina Levin of Seamless Bay Area, a grassroots transit advocacy group.

Among the changes coming to Clipper 2.0, users will see just one new feature: a new mobile app. The system will offer no other high-tech features that have been in use for years in other metropolitan areas around the world.

In London, for example, anyone can hop onto the Tube without a special transit card. At the turnstile, riders pay their fare with Apple Pay, Google Pay, or any credit card with a tap-to-pay chip. Over in Japan, dozens of rail, subway, bus, and taxi operators accept the Pismo transit card, which people can also use for purchases at convenience stores, vending machines, and restaurants. And in Berlin, riders with wearable passes embedded in sneakers can walk onto to trains and buses without tapping at all.

But the Bay Area's Metropolitan Transportation MTC says these features aren't important.

"Most of the people don't even understand or care about all the kinds of things that people are talking about relative to this, that, and the other bell and whistle," said Andrew Fremier, Deputy Executive Director for Operations at MTC. "Most of the people going through the transit system are happy with the Clipper card and it's functionality today."

But that runs counter to a trend in transportation known as Mobility as a Service [MAAS]. The idea is to give riders a single app that allows people to plan trips with public transit or private services like bike share, scooters or ride sharing services.

If MTC could make Clipper the dominant transportation app in the region, the agency could cut traffic congestion and pollution by working with ride sharing companies to reduce the number of cars in highly congested areas. But the the new Clipper system may struggle to keep up with

Uber and Lyft, which are moving fast to become the first app people open when they want to go someplace in the region.

Uber now owns a bike share service (Jump) and a car share service (Getaround); is building electric scooters; and will soon offer transit tickets in New York, L.A., and Boston. Lyft recently acquired Motivate, the company that operates San Francisco's bike sharing program; launched its own electric scooter program; and shows its users mass transit options in 25 cities.

Although the new Clipper system could eventually add new payment options and MAAS features, transit advocates say the MTC's insistence on carrying over thousands of complicated requirements from the 1.0 system will make each new 2.0 feature costly and difficult to implement. The transit agency has also failed to understand a critical aspect needed to get people to use to any consumer-facing tech product: design.

For years, transit advocates, including SPUR, an urban planning think tank, have politely suggested and explicitly urged MTC to use a process known as human-centered design to guide the development of the new Clipper system, a process firms like IDEO and Frog Design pioneered in the Bay Area. Human-centered design helped develop the computer mouse, a toothbrush that's easier to grip, and a thermometer that takes your temperature with a clip touch to the ear. (Disclosure: The author occasionally does freelance work for SPUR).

Compare Lyft's easy-to-understand scooter functionality on the left to the Muni Mobile App on the right. To buy a Muni ticket, you must wade through a confusing process, including the step pictured above. Although you cannot "Select Fare" until after you "Select Rider," both are displayed. A better-designed app would eliminate this step and take users directly to the Select Rider option. Left photo courtesy of Lyft; right image courtesy of Muni Mobile App

In transportation, Uber, Lyft, and Chariot, have entire teams dedicated to user experience design. They work with real people to understand how they set up their accounts, plan a trip, or add a tip. The designers identify when things go wrong, iterate with design tweaks, and repeat the process until the product is a joy to use.

"There is absolutely no one in Bay Area public transit, whether it be at MTC or whether it be any of the agencies, whose job title is user experience professional," said Levin.

The Muni Mobile app is a product without carefully considered design. Buying your first ticket requires a clunky 21-step process. After you complete certain steps, it's not always clear how to proceed to the next. And the app doesn't take advantage of basic features in the operating system, like auto-filling your e-mail address or accepting Apple Pay.

In the several years since MTC started looking into upgrading Clipper, transit advocates and potential contractors have warned the MTC to hold off on this half-a-billion-dollar project until the project is streamlined and human-centered-design is prioritized. But the agency remains committed to the project.

“I think people should give us a little bit of time to see how it works out and then call us on whether or not we are correct,” said Fremier. “But I think we’re headed down a very good path.”

Earlier this month the Clipper Executive Board voted unanimously to send the existing contract to the full MTC board, who are expected to approve it Wednesday morning.

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[BART exploring unarmed civilian ‘ambassadors’ to patrol trains](#) (San Francisco Examiner)

As BART police ask the agency to hire more armed police officers, two board members are taking a different route by exploring an unarmed “ambassador” program.

The BART Police Department at Thursday’s Board of Directors meeting will ask the agency to hire 54 more police officers to patrol the system.

The request is the result of a five-year strategic staffing plan developed in conjunction with the University of North Texas, as BART is besieged by calls for safety from advocacy groups of every stripe, and its everyday riders.

At the same time, BART directors Lateefah Simon and Bevan Dufty also plan to ask BART staff to explore hiring unarmed “ambassadors” to patrol the system, the directors told the San Francisco Examiner.

“We’re not asking for the department to get rid of police, but what we realize is that community safety isn’t just performed by armed professionals,” Simon said. “There’s another conversation that can be had about, ‘What does public safety look like?’”

The debate on how BART should improve safety on and near its trains has been spurred by high-profile deaths at BART stations, both old and new. But as more BART officials call for more armed police officers, many in the community have publicly questioned the wisdom of that approach, noting the recent BART police killing of Oakland resident Shaleem Tindle and the 2009 killing of Oscar Grant.

The conflict resolution model proposed by Simon and Dufty is based on the Muni Transit Assistance Program, in which 16 staffers in yellow safety vests patrol Muni buses near San Francisco schools where fights are known to sometimes break out. Those Muni staffers are unarmed, trained in conflict resolution techniques and, importantly for Simon and Dufty, they are hired from the community.

Monday afternoon, a bevy of BART officials met with the Muni conflict resolution staff, including Simon, Dufty, BART Deputy General Manager Robert Powers and Tim Chan, who heads the agency’s station planning.

The officials started their afternoon journey at a corner across the street from Willie L. Brown Jr. Middle School in the Bayview neighborhood, and as the shouts of joyous and rambunctious kids just leaving school could be heard across the street, the BART officials peppered Muni staff with questions.

Dufty, who previously ran homeless services in San Francisco, asked about encounters with people suffering from mental illness. Simon asked about resolving fights aboard Muni. Powers asked about staffing levels and hours. The questions ranged from general to detailed, but all conveyed one thing — this proposal has potential.

Daisy Avalos, acting manager of the Muni Transit Assistance Program, or MTAP, was their guide. Her answer to many of the BART officials questions about handling bad behavior on transit was simple: Respect and de-escalation are key. Instead of approaching the homeless, mentally ill or rowdy passengers from a position of authority. They approach by offering assistance first.

Its “empathy,” she said, “not as an authority figure.” But it’s key to also have “street smarts,” which comes from their community roots.

Avalos is a San Francisco native (an alum of Woodrow Wilson High School) and one of the original MTAP hires, who joined Muni in 1997 when the program was first proposed by Willie Brown, she said, the namesake of the school across the street. In her time de-escalating she has only ever seen “two or three” assaults on her fellow employees by passengers, although they’ve helped calm numerous confrontations.

Avalos explained some MTAP hires are people who’ve been on a rough path themselves, which helps passengers relate to them.

“When kids see O.G.’s, (former) gangbangers, who turned their life around, they look up to them,” Avalos said.

That also helps uplift the community they come from, she added. Importantly, those MTAP staffers are expected to only work three years then utilize their training by transitioning to other city jobs, Avalos said.

Amid the discussions, the group boarded the 44-O’Shaughnessy line heading south.

Aboard the bus, Avalos told the Examiner she believes the program would be a strong addition to BART’s toolkit to tackle safety. “It’s people from the community working in the community,” she said.

As the group hopped off the bus at Third Street and Palou Avenue, a pre-teen aboard the 44 poked his head out of the window and nodded up in “hello” to Avalos — a sign of respect.

“I love it!” Dufty exclaimed, excitedly, after seeing the positive interactions between the MTAP ambassadors and the riding public.

But just because they get along doesn't mean MTAP and the public don't see some conflict. Powers, the BART deputy general manager, asked if the MTAP staffers kept incident data. The easy answer? Avalos, and another MTAP staffer, Tony Borrego, pulled notepads out of their pockets with checklists for incidents. That "ride check report" featured checklists and comment sections for bus and train cleanliness, stops ridden, incidents, actions taken to resolve incidents, level of graffiti, and more.

Borrego, a San Francisco native who attended Riordan High School, said he encounters the homeless and those apparently suffering from mental illness from time to time when he patrols Muni. Just recently on the 9-San Bruno, he encountered a woman who barraged him with endless questions. She was seemingly lost, and very, very confused, he said. Borrego sagely answered each one of her questions, never losing his cool. She wrote a glowing review of him to his bosses that same day.

"I just try to treat them all with respect, then they treat you with the same," Borrego said.

But though their actions may be kind, perhaps the MTAP staffers are also greeted kindly because of something very key they're not empowered to do: As Borrego and his fellow MTAP staffers walked a Muni train stop along Third Street, riders joked with them more readily once they explained they had no ticket-writing authority.

They're just there to help, they explained.

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Milpitas: Be Mindful of Rail Safety Before BART Opens (Milpitas Beat)

With BART on its way to Milpitas, Rail Safety is of the utmost importance.

In California, September is designated as Rail Safety Month. As such, during the last few weeks, the Santa Clara Valley Transportation Authority (VTA) has been spreading awareness and encouraging the public with tips to stay safe around their light rail system.

VTA representatives have been out in the community, passing out safety material at various light rail stations, spreading the word at schools, and keeping the topic in the public eye through blog posts and social media.

In early September, VTA performed an enforcement exercise in coordination with the Sheriff's Transit Patrol in San Jose. Across three different intersections, over the course of one morning, they saw instances of red light violations and people wearing earbuds, as well as people standing near or blocking various parts of the track.

"As a result of that enforcement exercise, we issued about 16 citations and 25 warnings at three different intersections along our light rail system," said VTA's Public Information Officer Holly Perez.

Some tips that the VTA has been circulating to keep the public educated about Rail Safety:

Put down distractions, like earbuds.

Don't text while walking near the light rail system.

Never attempt to outrun a train.

While waiting at a stop, always be mindful of standing behind the yellow line.

And most important of all:

Always look, listen, and pay attention.

"One of the things we're really stressing is that safety is everyone's job," said Perez. "It's not just the light rail operator. It's the folks near and on our system. So we're just encouraging everyone not just this month, but every day, to really practice 'look, listen, and pay attention.' The Bay Area has seen its share of real incidents. One fatality is way too many. Be careful and be safe."

Back in June, the VTA discovered that 1,100 pieces of networking equipment built into the BART Extension Project were not in compliance with requirements, and they began the process of replacing and testing all of the parts.

When asked about any updates on BART and when it will officially open in Milpitas and San Jose, VTA's Communications Director Bernice Alaniz wrote in an email, "The project has advanced from construction (just finishing touches left) to testing. Testing for the automatic train control and traction power is complete. Currently testing continues for Supervisory Control And Data Acquisition (SCADA) and communications. In early 2019 when testing moves to the next phase, VTA will be able to better predict when the both stations will open and when passenger service will begin."

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Conserve paper. Think before you print.

From: VTA Board Secretary
Sent: Thursday, September 27, 2018 5:45 PM
To: VTA Board of Directors
Subject: From VTA: September 27, 2018 Media Clips



VTA Daily News Coverage for Thursday, September 27, 2018

1. [Berryessa BART Development KTVU Ch. 2](#)
2. [No Work Done Yet To Remove Used Parts Installed For South Bay BART Extension \(KPIX Ch. 5\) \(link to video\)](#)
3. [Gas-tax supporters tout report finding fewer potholes in Bay Area \(SFGate.com\)](#)
4. [Bay Area roads need repairs, but at least potholes haven't gotten worse](#)
5. [Are you sticking with the gas tax increase? Poll says most California voters now plan to](#)
6. [California ballot: Rent control loses, gas tax stays in new pre-election poll \(East Bay Times\)](#)
7. [TransBay Center stories \(multiple newspapers\)](#)
8. [Editorial: San Francisco Chronicle](#)

[Berryessa BART Development KTVU Ch. 2](#)

(Link to Video)

[No Work Done Yet To Remove Used Parts Installed For South Bay BART Extension \(KPIX Ch. 5\) \(link to video\)](#)

While the story about contractors installing used equipment for construction of the Silicon Valley BART extension was first broken by KPIX 5 three weeks ago, not a single piece of that used equipment has been removed or replaced since the problem was discovered.

[KPIX 5 first reported on how the used parts impacted Phase One of the BART extension](#) that will connect the Warm Springs, Milpitas and Berryessa stations on September 6th.

In the three weeks since the Valley Transportation Authority announced significant delays in the South Bay BART extension that will likely push the project to the very end of 2019, none of the used equipment that is at the root of the problem has been removed or replaced.

“We don’t want to replace something until we register it with the manufacturer to make sure that it is actually new,” said VTA Director Johnny Khamis. “And we want to make sure that each part is exactly what we ordered.”

That extraordinary level of oversight comes after the VTA discovered that contractors Aldridge and Rosendin Electric — as well as their sub-contractor HSQ Technology — installed more than 1,100 used routers and switches linking the brand-new rail line's communications, computer and security systems.

A spokesperson for the transit agency says there's a practical reason why the work has not yet begun.

"The equipment that was installed is being left in place right now because we can still conduct testing," said VTA spokesperson Bernice Alaniz. "So, leaving it there will enable us to move forward with some of the testing that needs to be done."

The VTA originally hoped to begin passenger service on the long-awaited extension this summer before testing setbacks slowed them down and pushed the project into 2019. The discovery of used equipment added months more to the delays.

Right now, the Valley Transportation Authority is using the same contractors and sub-contractors responsible for the problem to correct the issues. It's an arrangement of necessity, but one that makes members of the directors profoundly uneasy.

"I think it's unfathomable that somebody doesn't know how to read a contract," said Khamis. "It's equally difficult to believe somebody doesn't understand the word 'new' on the contract. This is why we're looking wholeheartedly into pressing charges."

The VTA plans to have the new equipment ordered, delivered and installed by March of next year and hopes there's no further problems on a project that has been much anticipated and much delayed.

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[Ballot measures to repeal gas tax, expand rent control trail in poll](#) [San Francisco Chronicle](#)

Voters are snubbing two high-profile ballot measures to repeal California's gas tax increase and expand rent control, according to a Public Policy Institute of California poll.

The poll, released Wednesday, found that 52 percent of likely voters surveyed opposed [Proposition 6](#), which would repeal a 2017 law that raised the gas tax by 12 cents a gallon and increased vehicle registration fees to raise \$5.2 billion annually to pay for road repairs, bridge fixes and public-transit improvements. Thirty-nine percent of respondents supported the repeal, and 8 percent were undecided.

Prop. 6 was trailing in all areas of the state, the poll found. The strongest support for the initiative came from Republicans (50 percent). Several GOP candidates have emphasized their support of the measure, including John Cox, the businessman running for governor against Democratic Lt. Gov. Gavin Newsom.

Republicans have argued that the tax hits low-income households the hardest. The poll found that 47 percent of respondents whose households have an annual income below \$40,000 backed the measure, compared with 39 percent of respondents whose household income is between \$40,000 and \$80,000. Among those with households making more than \$80,000, support dropped to 37 percent.

Poll respondents were also hesitant on another ballot measure, [Proposition 10](#), which would repeal the Costa-Hawkins Rental Housing Act of 1995 that limits what kind of rent control cities can enact. Prop. 10 would allow cities to expand rent control to multiunit housing built after 1995 and to all single-family homes.

Costa-Hawkins barred cities that had rent control protections before the law went into effect from including those units under the price caps. For example, in San Francisco, all housing built after 1979 is exempt from price control.

In addition to repealing those restrictions, Prop. 10 would allow rent caps on units when a tenant moves out, known as vacancy control. The initiative would not mandate rent control, but would allow cities and their voters to do so.

Overall, 48 percent of likely voters surveyed said they planned to vote against the ballot measure, while 36 percent said they planned to vote in favor. Sixteen percent were undecided.

“One would have thought with all of the attention devoted to housing affordability, Proposition 10 would be viewed as part of the solution,” said Mark Baldassare, CEO of the Public Policy Institute of California and director of the poll. “But currently it does not appear to be.”

Prop. 10 was particularly unpopular in the Bay Area, where 32 percent of voters said they supported it, while 54 percent were opposed. Los Angeles had the highest support for Prop. 10, with 45 percent of voters there saying they would vote yes.

Democrats were divided almost evenly, with 46 percent favoring the measure and 43 percent opposing it, according to the poll. More than half of Republicans and independents surveyed said they planned to vote against the initiative.

Not surprisingly, renters were more likely than homeowners to support Prop. 10, by a margin of 43 percent to 31 percent.

“On the positive side for these two campaigns is that there are more people who like the idea in concept,” Baldassare said. “But there will be concerted efforts to get people to look in a skeptical fashion at these measures, so they have their challenges ahead.”

The findings in the poll are based on a telephone survey of 1,710 California adults, including 964 likely voters, taken Sept. 9-18. The margin of error is plus or minus 3.5 percentage points for all adults and plus or minus 4.8 percentage points for likely voters.

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[Gas-tax supporters tout report finding fewer potholes in Bay Area \(SFGate.com\)](#)

Roads throughout the Bay Area are slowly improving, according to a new report, and officials at the Metropolitan Transportation Commission are crediting an infusion of SB1 gas tax dollars for the gradual upward trend.

The [pothole report](#) released Wednesday by the MTC effectively became a piece of political literature, urging voters not to pass Proposition 6, an initiative to undo the newly enacted 12 cent-per-gallon gas tax hikes in November.

The report showed the 43,000 lane miles of road throughout the region had an average score of 67 out of 100 on the pavement condition index. That's roughly the same as last year, though it shows a four-point climb over the past 15 years.

The five worst commutes in the Bay Area (in reverse order) as derived from Caltrans traffic data and estimates of the number of hours annually that drivers spend creeping along at speeds below 35 mph.

Media: Martin do Nascimento

Despite that improvement, scores in most cities hover just above the 60-point threshold where streets and roadways start to deteriorate rapidly. Blacktop throughout the Bay Area is at a crucial point where maintenance work would [prevent rapid deterioration](#) and the need for expensive repairs, the report said.

But the repaving efforts of cities and counties could end abruptly [if voters approve Prop. 6](#).

"The typical Bay Area street is still pretty worn and likely to soon need some serious work," said Metropolitan Transportation Commission Chair Jake Mackenzie. "I hope voters will keep streets and roads in mind when they consider Proposition 6 on the November ballot."

He said the commission aims to bring all Bay Area roads into a state of good repair, which translates into a score of 85 or higher — a steep, but not insurmountable challenge if SB1 survives. [Money to repave roadways](#) also trickles in from county sales taxes, city and county general funds, bond measures and traffic impact fees, the report said, but those pots were dwindling before the state raised the gas tax last year, generating an additional \$5.2 billion annually.

"If Prop. 6 passes, it wipes out those funds," said Steve Heminger, the commission's executive director, presenting slides at a board meeting Wednesday that showed two alternative futures for the Bay Area in 2027.

One slide showed a map of the region awash in orange and red, designating areas that would be riddled with potholes and crumbling pavement if Proposition 6 passes. The other slide showed a half-green, half-red map, showing an even division of healthy and disintegrating roads.

Supporters of the repeal [accuse the state of wasteful spending](#) and say that pothole and street repairs could be made without increasing taxes. Prop. 6's chair, Carl DeMaio, called the pothole report a political "PR stunt."

"Only a fraction of the existing gas tax goes to any road projects currently, with the rest stolen and wasted by politicians," he told The Chronicle.

Pavement conditions varied throughout the Bay Area, according to the report, which rated cities on a three-year average. Dublin has the best roads, with an average score of 85, and the worst pavement spreads through the Marin County city of Larkspur, which had a score of 42.

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[Bay Area roads need repairs, but at least potholes haven't gotten worse](#)

With the vote on California's biggest transportation spending plan in nearly 25 years to fix its crumbling roads just over a month away, a new analysis shows streets in the Bay Area are slowly getting smoother with fewer potholes.

The annual pothole report released Wednesday by the Metropolitan Transportation Commission gives cities in the nine counties a score of 67 — putting the region's 43,000 lane miles in the fair category but needing major rehabilitation to prevent rapid deterioration. That's the same ranking as last year and slightly higher than in 2003.

But its far lower than the goal of 85 which is considered "very good," where streets are only in moderate distress requiring much cheaper preventive maintenance.

Dublin (85) and Palo Alto (85) own the smoothest streets. Among the region's three largest cities, San Francisco last year entered the "good" category by raising its score from 68 to 70, while San Jose (64) and Oakland (55) remained in the "fair" and "at-risk" spots, respectively.

GRADING ROAD CONDITIONS

Roads including curbs, gutters, sidewalks, traffic signs and signals were graded based on a scale of 0 to 100 called the Pavement Condition Index with the following characteristics:

 Failed 0-24	Pavements need reconstruction and are extremely rough and difficult to drive.
 Poor 25-49	Pavements have extensive amounts of distress and require major rehabilitation or reconstruction. Pavements in this category affect the speed and flow of traffic significantly.
 At Risk 50-59	Pavements are deteriorated and require immediate attention including rehabilitative work. Ride quality is significantly inferior to better pavement categories.
 Fair 60-69	Pavements at the low end of this range have significant levels of distress and may require a combination of rehabilitation and preventive maintenance to keep them from deteriorating.
 Good 70-79	Pavements require mostly preventive maintenance and have only low levels of distress, such as minor cracks or flaking.
 Very Good/ Excellent 80-100	Pavements are newly constructed or resurfaced and have few if any signs of distress.

Source: Metropolitan Transportation Commission

BAY AREA NEWS GROUP

“It’s good to see the needle move in the right direction,” said MTC Chair Jake Mackenzie and a Rohnert Park councilmember. “The typical Bay Area street is still pretty worn and likely to soon need some serious work.”

Other cities in the “very good” range include Clayton and El Cerrito (84); Brentwood, and Colma (83); Foster City (82); Daly City, Union City and unincorporated Solano County (81); and San Ramon (80).

The most potholed riddled town again is Larkspur, which recorded a score of 42. Others in the “poor” range include Petaluma (46) and unincorporated Sonoma County (49).

About one-third of the paved lane miles in the nine-county region are in very good shape. Another one-third falls in the “good” or “fair” ranges, while the final third is classified as “at-risk,” “poor” or “failed.”

A year ago the Legislature approved hiking the state gas tax by 12 cents a gallon and other related auto fees to raise \$5.4 billion a year for transportation upgrades. But opponents want to repeal it with Proposition 6 in November.

Jon Coupal, president of the Howard Jarvis Taxpayers Association, said there is already enough money to fix our roads “but political elites and special interests wanted another blank check from California taxpayers.”

“For now, they have it. But come November, voters might tear up that check by repealing these burdensome tax hikes.”

If repealed, MTC said the region would need to almost double current maintenance expenditures to nearly \$1 billion annually. Some funds have been spent to repave various

streets like Payne Avenue in West San Jose and Great America Parkway in Santa Clara with El Camino Real on the to-do list.

Bob Young of San Jose had two words for the resurfacing on Payne Avenue: “Wow! Gorgeous!” “The previously tired, jaw-chattering, bumpy road is now smooth and quiet,” he said.

Oakland is using money from the gas taxes to hire 20 workers for street maintenance as well as acquiring new equipment, plus paving E 16th Street between 35th and 37th Avenues for the first time since before 1960 and Golf Links Road, between Fontaine and 98th Avenue, for the first time since 2004.

PAVING POTHOLE

The 2017 pavement conditions summary can be found [here](#)

[Are you sticking with the gas tax increase? Poll says most California voters now plan to](#)

(Sacramento Bee)

The recent [increase in gasoline and diesel taxes](#) is not particularly popular among California voters, but a campaign to undo those price hikes trails by a wide margin, according to a new poll.

The Public Policy Institute of California found that slightly more than half of likely voters — 52 percent — oppose Proposition 6, which would reverse the tax increases by [requiring voter approval to raise](#) fuel and vehicle license fees, while 39 percent favor the initiative.

Gov. Jerry Brown and mostly Democratic lawmakers last year [passed a transportation funding plan](#) that will provide an estimated \$5.2 billion annually for road, highway and bridge repairs, as well as public transit projects, by increasing the excise taxes on gasoline and diesel and creating a new registration fee for cars based on their value.

Arguing that California has enough money for road maintenance without charging consumers more at the pump, Republicans launched an initiative to repeal the fees. It has been their [key issue in political campaigns](#) this year.

HOW WILL YOU DECIDE HOW TO VOTE?

Your opinion matters. How do you feel about rent control? Gas taxes? Your local legislator? The Sacramento Bee has all you need to help you make up your mind as the November election approaches. Get easy-to-understand information about the candidates, the campaigns and the debates over statewide initiatives.

Voters are split over the gas tax increase. In a separate question, 50 percent of respondents told PPIC they favor repealing it and 46 percent said they are opposed.

“If that’s the starting point for support,” said Mark Baldassare, president and CEO of PPIC, “that’s going to be tough.”

When voters hear pollsters read the ballot label for Proposition 6 and more about [what it would do](#), approval drops considerably. It does not lead with any demographic or in any region of the state; even among Republicans, it only polls at 50 percent.

“The label is one that makes you think about not just the benefits, but what is the consequence of repealing the gas tax,” Baldassare said. “When you’re repealing a tax, it’s not just about the tax itself. It’s what happens to that revenue.”

Earlier this week, proponents of the repeal officially announced a follow-up initiative for the 2020 ballot that would pay for road repairs by redirecting fuel tax revenues and sales taxes from automobile purchases. They contend their plan would put more money into transportation projects than the current gasoline and diesel tax increase, but it would also require [major cuts to other programs](#) in state and local budgets.

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[California ballot: Rent control loses, gas tax stays in new pre-election poll](#) (East Bay Times)

Two of the most contentious measures on the November ballot — repealing California’s gas tax and empowering cities to expand rent control — are struggling to gain traction with voters six weeks before the election, according to a new poll.

About half of likely voters say they would reject both measures, while a little more than a third would support them, according to a statewide poll released Wednesday night by the Public Policy Institute of California.

The survey offers an early glimpse into the possible fate of the controversial ballot measures — one that would hit either voters’ wallets or the state’s transportation funding, with the region’s traffic woes hanging in the balance; another that could play a major role in how Bay Area cities fight the skyrocketing housing costs that are displacing their residents.

“What the polls suggest is that the proponents would have a lot of work to do to get to the majority support,” said Mark Baldassare, president and CEO of PPIC, “because right now they’re not close to it.”

The poll also tapped into voters’ preferences in the governor and Senate races — where the leads of Gavin Newsom and Dianne Feinstein have shrunk since July. The 964 likely voters who participated in the telephone poll were prone to name jobs and the economy, immigration and housing as California’s most important concerns.

Forty-eight percent of likely voters said they would reject Proposition 10 — a measure that would give cities unlimited authority to impose rent control by repealing Costa Hawkins, the state law that prohibits capping rents on single-family homes or buildings built after 1995 and allows landlords to charge new tenants market-rate rents when long-term renters leave. Thirty-six percent said they would vote for the measure, and 16 percent said they didn't know. Bay Area residents were even less inclined to support the measure, with 54 percent indicating they would vote no and 32 percent indicating they would vote yes. Even renters were against Prop. 10 — 51 percent of renters rejected the measure, while 43 percent supported it.

"I'm encouraged that that message is getting out there," said Matt Regan, senior vice president of public policy for the business-backed Bay Area Council, "that voters do understand that rent control is not a panacea."

Nevertheless, 52 percent of likely voters said they were generally in favor of rent control, while just 41 percent said it's a bad thing.

Eduardo Torres, East Bay organizer with Tenants Together, blames Prop. 10's lackluster polling on the opposition's campaign. Renters need to be better educated on Costa Hawkins and how it allows Bay Area rents to continue to skyrocket, he said.

"People are getting pushed out because of laws like Costa Hawkins," he said.

Voters also were more likely to reject Proposition 6, which if passed would repeal the 2017 gas tax and vehicle registration fee increase intended to raise \$5.1 billion annually by 2020, with the money going to fix the state's freeways and streets and refurbish trains and buses. Fifty-two percent of likely voters said they would vote no, 39 percent said they would vote yes, and 8 percent said they didn't know. Democrats were even more likely to reject the gas tax repeal, while Republicans were inclined to vote for it.

Bay Area voters fell in line with the rest of the state, with 51 percent indicating they would vote no and 43 percent indicating they would vote yes. Likely voters with a household income of less than \$40,000 a year were more inclined to support the repeal than their wealthier peers. But nearly everyone agreed the gas tax will be a crucial issue on the November ballot — 84 percent of likely voters described the issue as very important or somewhat important.

The measure needs 51 percent of the vote to pass.

Mike Gibbs, a 69-year-old Republican from Los Gatos who participated in the PPIC poll, is part of the minority leaning toward repealing the gas tax.

"I'm not against putting money into the roads — I just don't trust government to do it," he said. "They allocate the money for one thing, and then they spend it on something else."

But the funds generated by the gas tax are crucial to fixing the region's traffic and congestion woes — especially in the South Bay, where public transportation options are limited compared to the rest of the Bay Area, said Pilar Lorenzana of SV@Home.

“It is a little bit of a relief to see that the respondents to the survey agree that this is a very important funding mechanism that they’re going to keep in place,” she said, “and hopefully this is something that holds true throughout November.”

In the race for governor, Democrat Gavin Newsom’s lead over Republican rival John Cox has narrowed from 24 points in July to 12 points this month. Fifty-one percent of likely voters polled this month said they would vote for Newsom, compared to 39 percent who said they would vote for Cox. Sen. Dianne Feinstein’s lead over challenger Kevin de Leon also has narrowed, dropping from 22 points in July to 11 points.

Gibbs, a small-business owner, said he’s voting for Cox because Cox’s positions on regulation, taxes and education align with his own.

“I think he’s got more of a chance than most people think,” Gibbs said.

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TransBay Center stories

[San Francisco Chronicle](#)

The brand-new Transbay Transit Center was closed Wednesday after a second steel beam was found to be cracked.

[Buy Photo](#)

The engineering firm in charge of structural steel at the new \$2.2 billion Transbay Transit Center sued the general contractor overseeing the entire project in May, claiming the job was compromised by construction documents that were “substantially defective and incomplete.”

In the lawsuit, Skanska USA Civil West, which in 2013 won a \$189 million contract for the steel work, claimed that poor planning by general contractor Webcor/Obayashi led to significant cost overruns that the engineering company was not compensated for.

The lack of accurate information meant that Skanska and its subcontractors were unable to “plan and execute the work in such a way as to mitigate damages due to delays and inefficiencies,” according to the lawsuit.

The lawsuit is potentially significant because it could shed light on the transit center’s complicated and expensive steel superstructure, the dependability of which came into question this week when [work crews discovered cracks in two steel beams](#).

While Skanska was in charge of the steel work, more than a dozen manufacturers were involved in making the 22,000 tons of structural steel assembled to build the transit center, which

weighs as much as 111 Boeing 747 airplanes. The fabrication and installation of the project's steel columns, beams and girders was completed in January 2016.

In a court filing, Webcor-Obayashi denied "generally and specifically each and every allegation."

Sam Singer, a spokesman for the general contractor, called it a "par-for-the-course lawsuit" common in big public construction projects. He said the money Skanska believes was withheld was a result of the steel contractor missing key project deadlines.

He said Webcor "is pleased that the TJPA (Transbay Joint Powers Authority) has asked it to be part of the independent review team" brought in to look at the beam defects.

The beams in which cracks appeared were manufactured by Stockton-based Herrick Corp., which also provided steel for nearby towers like 181 Fremont, Salesforce Tower and Park Tower. Oregon Iron Works made girders and basket columns, while Vallejo-based XKT Engineering fabricated some of the transit center's "seismic load resisting system.

The lawsuit alleges that "Webcor/Obayashi directed Skanska to do additional work outside the scope of the contract, for which the general contractor did not compensate Skanska." The lawsuit also says Webcor/Obayashi "failed to respond in a complete, timely, and reasonable manner to requests."

Over the past five years, escalating steel prices were a major reason the transit center's budget ballooned from \$1.6 billion to \$2.2 billion. In 2013, the TJPA budgeted \$145 million for the steel package, but when the contract was put out to bid, the one response was for \$259 million. The TJPA put the contract on hold, eventually breaking it up into several smaller contracts that brought in combined bids of \$206 million.

The [cracks found this week](#) showed up at the bottom of the two immense beams roughly 60 feet long that span Fremont Street. The beams are located above the bus deck but also help hold it in place.

Each beam is roughly 8 feet deep above the middle of the street, narrowing to about 5 feet above the sidewalk on either side. If one were viewed from the end, it would be shaped like a giant I, with slightly wider sections at the bottom and top.

The crack spotted by workers on Tuesday occurred at the bottom of the deepest point of the beam nearest to Mission Street. It runs the full 2.5 feet from side to side and 4 inches from bottom to top. The main section of the beam — the long stretch of the I, so to speak — was not affected.

The project required that all steel and iron be manufactured in the United States as part of the project's federally mandated "buy American" regulations.

With so much steel required, the TJPA had to enlist suppliers and fabricators from 19 states to supply the project. Steel-related work accounts for a sizable portion of the estimated 8,000 jobs

that have been created, directly and indirectly, by the transbay program to date, including more than 3,000 outside the Bay Area.

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[San Francisco Examiner](#)

The \$2.2 billion Salesforce Transit Center is expected to remain closed at least through the end of next week after inspectors found a second cracked steel beam beneath the center's rooftop park, officials said Wednesday.

The Transbay Joint Powers Authority shuttered the brand new transit center shortly before rush hour Tuesday after workers installing ceiling panels on the bus deck above Fremont Street discovered the initial crack at around 10 a.m.

Then inspectors who worked overnight attempting to determine the cause of the issue found a crack in an identical horizontal beam that also spans Fremont Street between Mission and Howard streets.

TJPA Executive Director Mark Zabaneh said the initial crack is about 2-feet, 6-inches long, while the second crack is smaller than the first. Both run along the bottom of the beams, which were made by the Stockton-based Herrick Corp.

"We have no reason to believe at this point to believe whatsoever that this situation exists other than on Fremont Street," Zabaneh told reporters.

Fremont Street between Mission and Howard streets will also remain closed through Oct. 5 until the area is rendered safe.

The closures have snarled traffic in the area at a time when thousands of attendees of the Salesforce Dreamforce conference are in The City. The transit center opened last month nearly two decades after nearly two decades of planning and construction.

Supervisor Aaron Peskin, who has been critical of the project for delays and cost overruns, said he has questions about whether more steel beams in the transit center are compromised. Peskin plans to call for a hearing on the issue at the Board of Supervisors to determine what went wrong.

"As much as this entire episode pains me, I appreciate the fact that they are taking it seriously and aren't sweeping it under the rug," Peskin said. "Having said that, you'd think after spending \$2.2 billion the public would be expecting something that is perfect."

Caution tape blocks off the area around Salesforce Transit Center following its closure due to the discovery of a cracked steel beam on Tuesday, Sept. 25, 2018. (Kevin N. Hume/S.F. Examiner)

Zabaneh said the cracking could be a fabrication, installation or design issue. Transit center officials do not believe the problem is due to the ground settling or related to the tilting and sinking of the adjacent Millennium Tower.

The beam was installed during construction in 2016 and has not been inspected since, which Zabaneh said, is standard protocol. TJPA officials are working with contractor Webcor/Obayashi and structural engineering firm Thornton Tomasetti to inspect the cracks.

According to Dennis Turchon, the TJPA's senior construction manager, the steel beams used to construct the center were supplied by at least seven different manufacturers, all located in the U.S.

Zabaneh said contractors and engineers have inspected other areas of the transit center where the beams are configured similarly and haven't found any other problems.

Officials first plan to shore up the beams with additional support to reopen Fremont Street before adding additional shoring to attempt to open the bus deck. They then plan to determine how to fix the cracked beams.

Mayor London Breed visited the site Wednesday and called for a "thorough and transparent investigation" into the problem. Breed said that the transit center must be reopened "as soon as it is safe to do so."

"The Transbay Transit Center is too important for our city and our regional transportation system not to act quickly to have definitive answers for the public, and someone needs to be held accountable once the cause is determined," Breed said in a statement.

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On the heels of a [fissure discovered](#) Tuesday on the third floor of the new [Transbay Transit Center and Salesforce Park](#), which opened August 12 and cost \$2.2 billion, a second crack was found during an overnight inspection.

According to the [San Francisco Chronicle](#), the newly uncovered fissure was found on an adjacent beam inside the publicly-funded structure. However, said crack is "less severe" than the first one.

The beam reportedly runs the length of the east side of the center.

"It has a four-inch thick plate and is 60 feet long, and 2½-feet wide," reports [San Jose Mercury News](#). "The crack is in a flange."

Fremont Street between Howard and Mission is expected to remain closed into next week.

Officials with the Transbay Joint Powers Authority still do not know the cause for either crack. The beams were created by Herrick steel located in the Central Valley.

Civic leaders and denizens are displeased, to say the least.

“We must have a thorough and transparent investigation to determine the causes, severity, and impacts of this discovery, as well as a plan to re-open the Transit Center as soon as it is safe to do so,” Mayor London Breed said in a written statement. “The Transbay Transit Center is too important for our City and our regional transportation system not to act quickly to have definitive answers for the public, and someone needs to be held accountable once the cause is determined.”

All transit inside the terminal, including Muni (the 5, 5R, 7, 25, 38, and 38R), Golden Gate Transit, and AC Transit, will continue to operate at the old Temporary Transbay Terminal on the block bounded by Folsom, Howard, Beale, and Main Streets. It can be found one block away from the currently closed transit center.

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[Editorial: San Francisco Chronicle](#)

San Francisco’s new Transbay Transit Center, a \$2.2 billion transportation hub that opened to much fanfare on August 12, [was shut down on Tuesday after the shocking discovery of a cracked steel beam](#) above its bus deck.

On Wednesday, [a crack in a second beam was discovered](#).

The center is expected to stay closed for days — at least until the end of next week.

It’s an unmitigated disaster for a project that’s already been plagued by problems and cost overruns. Unlike common construction flaws, like the cracks you see in stucco walls, structural steel beams should not crack.

It’s particularly alarming that the beams’ weakness were spotted so soon after opening.

It’s too soon to say what caused them. [Experts believe](#) it could be a fabrication problem, a manufacturing problem, an installation problem or some combination of the three.

But a few things are already certain.

First, the [inspection of all structural beams that has already begun](#) needs to be thorough and carefully monitored. The center needs to remain closed until it’s clear that the structure is safe.

The Transbay Transit Center was designed to be a centrally located hub for cross-bay commuting and eventually, statewide travel via high-speed rail. It was 17 years in the making and has already required a taxpayer bailout for its completion.

Failure is not an option — not for the city, and not for the commuters who depend on the center for their day-to-day transportation.

Second, there must be accountability for this failure.

The center's bad news has forced San Franciscans to recall other recent infrastructure problems — and to question the official response to them.

The \$6.5 billion eastern span Bay Bridge replacement, another massive project plagued by cost overruns, swiftly suffered [cracked bolts](#) and [rods](#). The main builder [was able to escape the \\$8.5 million fine](#) bridge officials had sought.

Meanwhile, [taxpayers are on the hook for millions of dollars in legal fees](#) for the sinking Millennium Tower — because the developer and homeowners in that building have claimed the Transbay Transit Center's construction contributed to the tower's tilt.

We don't know what happened at the Transbay Transit Center yet, but we do know that it deserves a response that safely solves the issue and protects the taxpayers, who have already given enough.

Conserve paper. Think before you print.