



## Correspondence to Board of Directors

Jun 30 - Jul 8, 2020

<b>#</b>	<b>Date Rec'd</b>	<b>Sender</b>
1	07-08	Law Offices of Jason A. Bezis

**From:** Jason Bezis <bezis4law@gmail.com>  
**Sent:** Wednesday, July 8, 2020 11:02 AM  
**To:** Comments-vl <comments@valleylinkrail.com>  
**Subject:** Public Comment 7/8/20: Agenda Items 4.a.1 and 7.1

July 8, 2020

Tri Valley - San Joaquin Valley Regional Rail Authority

VIA EMAIL to [comments@valleylinkrail.com](mailto:comments@valleylinkrail.com) (Public Comment 7/8/20: Agenda Items 4.a.1 and 7.1)

**Re: July 8, 2020 TVSJVRRRA Meeting – Item 7.1: Resolution Concerning Inclusion of Valley Link in MTC RTP**

To Chair Haggerty and the TVSJVRRRA board:

Regarding Agenda Item No. 4.a.1, the minutes of the May 2020 TVSJVRRRA meeting, I am baffled as to how the Metropolitan Transportation Commission can allocate \$46 million of toll bridge seismic retrofit dollars (AB 1171 funds) to Valley Link, a project far away from a toll bridge. Bay Area working class people who must commute on toll bridges are being forced to subsidize Central Valley interests that don't pay bridge tolls. Many politicians endorsed the \$3.00 Regional Measure 3 bridge toll increase in 2018, but all five cities in the Tri-Valley voted "no," as did every city in southern Alameda County and working class communities including Richmond, Concord, Pittsburg and Antioch. Your own constituents voted "no" on RM3 because they suspected that politicians were abusing bridge toll money as a slush fund for unrelated projects. This diversion confirms these suspicions. This is a Public Records Act request for all documents (including emails and other communications) that explain why toll bridge seismic retrofit funds are available and eligible for use on Valley Link. I also would appreciate a written answer from your executive director specifically explaining why toll bridge seismic retrofit funds are eligible for use on Valley Link and how use of toll bridge seismic retrofit funds on Valley Link is appropriate.

Regarding Agenda Item 7.1, I and others strongly oppose Resolution R06-2020 of the Tri-Valley – San Joaquin Valley Regional Rail Authority supporting Valley Link to be included in the fiscally constrained (before 2035) MTC Regional Transportation Plan.

Streets & Highways Code section 132652 states in part, "The authority is hereby established for purposes of planning, developing, and delivering cost-effective and responsive transit connectivity, between BART's rapid transit system and the Altamont Corridor Express commuter rail service in the Tri-Valley region of California ..." Your authority is exceeding its legislative mandate because Valley Link would extend past the ACE line and outside of the Tri-Valley. I also fail to see how Valley Link is "cost-effective." You have failed to study more cost-effective alternatives, such as an express bus link between an existing ACE station and an existing BART station. If you insist on a rail connection between BART and ACE, then you have failed to study the shortest and most cost-effective connection, which would be in the former Southern Pacific right-of-way (Iron Horse Trail corridor) between "Radum" and the East Dublin BART station. I believe that this was a "t-BART" alternative studied circa 2002. Pursuant to the Public Records Act, please produce all documents showing that you have considered an alternative connecting

ACE and BART via the “Radum to East Dublin BART” Southern Pacific (Iron Horse Trail) railroad corridor.

The Metropolitan Transportation Commission (MTC) and Bay Area Toll Authority (BATA) have a statutory and a voter-approved mandate to consider “express buses” and an HOV lane direct connector to East Dublin BART station as alternatives to Valley Link. Streets & Highways Code section 30914(c) states that BATA “shall ... fund ... by bonding or transfers to the Metropolitan Transportation Commission ... I-580 (Tri Valley) Rapid Transit Corridor Improvements. Provide rail or High-Occupancy Vehicle lane direct connector to Dublin BART and other improvements on I-580 in Alameda County for use by express buses. Sixty-five million dollars (\$65,000,000) ...” The Regional Measure 2 Traffic Relief Plan presented to voters in 2004 states, “Interstate 580 Rapid Transit Corridor Improvements:\$65 million •Corridor improvements on I-580 in Alameda County. Funds available for new rail service or express bus improvements, such as a carpool-lane direct connector to Dublin BART.” Your September 2019 feasibility study rejects express bus alternatives with a rationale “Does not meet the purpose and need criteria of connecting ACE to BART rail-to-rail” that appears to be entirely made up by your authority and is not explained or justified within the document. Your authority should not ask MTC to change its Regional Transportation Plan until your authority adequately examines the “express buses” and HOV lane direct connector to East Dublin BART station alternatives, as called for by the Legislature in Streets & Highways Code section 30914(c) and promised to voters in the Regional Measure 2 Plan.

Sincerely,

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