



Kate Harrison
Councilmember District 4

CONSENT CALENDAR
January 18, 2022

To: Honorable Mayor and Members of the City Council

From: Councilmember Harrison (Author)

Subject: Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

RECOMMENDATION

1. Refer to the June FY 23-24 budget process approximately \$1.4 to \$1.8 million in projected Transportation Network Company (TNC) User Tax General Fund revenue for FY 23 and FY 24, and the actual FY 2022 TNC Tax revenues (projected at \$576,786), toward the construction and maintenance of:
 - i. Tier 1 protected bicycle lanes and crossings identified in the 2017 Bicycle Plan, including but not limited to quick-build projects; and
 - ii. Priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and
 - iii. Priority quick-build public transit projects under the Street Repair Program.
2. Refer to the Public Works and Transportation Commissions (or Successor Commission) in consultation with City staff to provide recommendations to the Facilities, Infrastructure, Transportation, Environment, and Sustainability and Budget and Finance Policy Committees by the end of March 2022 as to the specific allocation among the priorities in Recommendation 1 to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

CURRENT SITUATION AND RATIONALE FOR RECOMMENDATION

A Metropolitan Transportation Commission report warns that Berkeley's overall paving condition is "At Risk," meaning on the cusp of falling into "Failing" category.¹ The current five-year paving plan is the result of historic deferred maintenance and an underfunded,

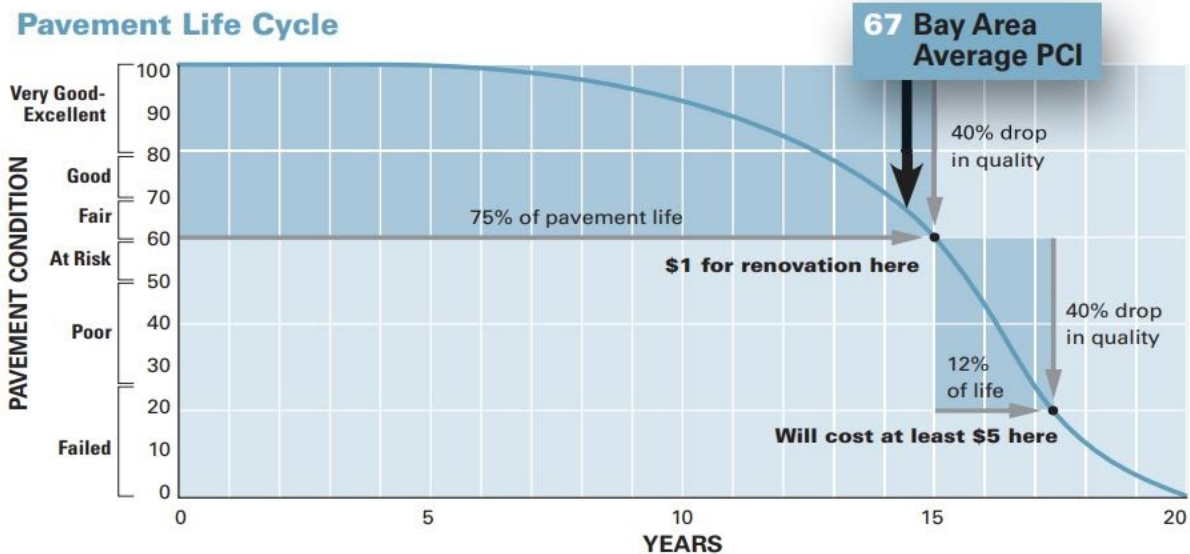
¹ "The Pothole Report: Bay Area Roads At Risk," Bay Area Metropolitan Transportation Commission, September 2018, https://mtc.ca.gov/sites/default/files/Pothole%20Report%20III_September%202018.pdf

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

imperfect and complex balance between arterial, collector and residential streets distributed across Council districts. Residential streets across the entire city are largely categorized as failing and bicycle, pedestrian, and Vision Zero projects are severely underfunded. Meanwhile, neighboring cities in the Bay Area, such as Richmond, El Cerrito, San Francisco have “Excellent/Very Good” to “Fair/Good” street conditions.

To date, mobility infrastructure upgrades have generally competed for the same funding sources as automobiles. The Public Works Department has advised that ongoing funding under the rolling 5-Year Street Plan will not be enough to stabilize Berkeley’s streets let alone provide for the desperately needed bicycle, pedestrian and transit upgrades contemplated under the city’s various strategic plans. In fact, if street investment is not increased, Public Works warns that the City could face \$1 billion in future repair costs as the cost of deferred paving maintenance increases exponentially each year.



Since January 2020, the Facilities, Infrastructure, Transportation, Environment, & Sustainability Committee has been working with the Public Works Department and Public Works Commission to explore funding opportunities to enhance the Paving Condition Index (PCI) of Berkeley’s streets. In addition, it has been reviewing the City’s Paving Policy, which was last updated in 2009, and which is expected to be updated with a more equitable framework in early 2022.

However, to stabilize and improve street conditions, reduce greenhouse gas emissions, enhance public safety, and improve mobility, the City will likely need to pursue a combination of investment strategies ranging from increasing General Fund allocations,

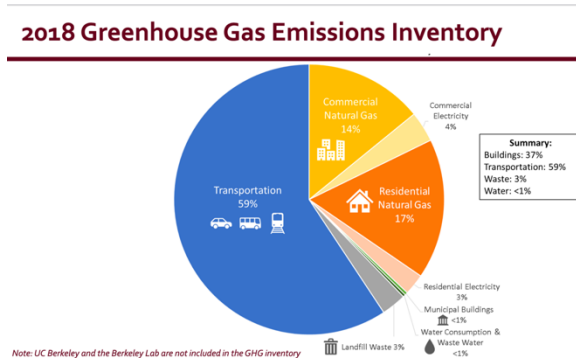
Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

initiating transfers from waste and sewer accounts, and initiating fees in response to heavy vehicle use, and potentially issuing bonds. Before going to voters for new bonds, it is critical that the Council leverage the proceeds of existing tax revenues with a nexus to mobility such as the TNC Tax.

BACKGROUND

A recent University of Oxford study concluded that even partial substitution of vehicle travel with walking, cycling or e-biking are critical strategies for addressing climate change and lower mobility-related lifecycle CO₂, and that cyclers have 84% lower CO₂ emissions impact as compared to non-cyclers.² According to the study, urban residents substituting one vehicle trip per day with cycling reduced their carbon footprint by 0.5 tons per year, and “[i]f just 10% of the population were to change travel behaviour, the emissions savings would be around 4% of lifecycle CO₂ emissions from all car travel.”



Berkeley voters overwhelmingly passed the TNC User Tax (Measure GG) in 2020 with a 50-cent fee per rideshare trip specifically in order to generate “at least \$900,000 annually to support general municipal services like paving streets and improving pedestrian and bicycle infrastructure.”³ Before the global pandemic, City staff estimated the tax would bring in approximately \$910,000 per year.⁴

² “Study Shows Walking, Cycling, & e-Biking Make Significant Impact On Carbon Emissions,” CleanTechnica, February 3, 2021, <https://cleantechnica.com/2021/02/03/study-shows-walking-cycling-e-biking-make-significant-impact-on-carbon-emissions/>.

³ “Argument in Favor of Measure GG,” Berkeley City Clerk, August 2020, <https://www.cityofberkeley.info/uploadedFiles/Clerk/Elections/GG%20-%20Primary%20in%20Favor%20-%20FINAL.pdf>

⁴ “Placing a Tax Measure on the November 3, 2020 Ballot to Adopt a Tax on Transportation Network Companies,” Berkeley City Clerk, July 21, 2020, [https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/Documents/2020-07-21_\(4pm\)_Special_Item_04_Placing_a_Tax_Measure_on_the_November_pdf.aspx](https://www.cityofberkeley.info/Clerk/City_Council/2020/07_Jul/Documents/2020-07-21_(4pm)_Special_Item_04_Placing_a_Tax_Measure_on_the_November_pdf.aspx)

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

This item proposes to allocate FY 2022 and FY 2023-2024 TNC tax revenues directly to projects aimed at building out mobility infrastructure that offsets vehicle miles travelled and paving impacts, enhances public safety, and lowers greenhouse gas emissions, to include the following priority projects:

- Tier 1 priority protected bicycle lanes and crossings, including but not limited to quick-build projects, which will enhance bicycle and micro mobility safety; and
- Priority pedestrian street crossings identified in the 2020 pedestrian plan, including but not limited to quick-build projects; and
- Priority quick-build public transit projects under the Street Repair Program.

This item also proposes to refer to the Public Works and Transportation Commissions (or Successor Commission) in consultation with City staff to provide recommendations to the FITES and Budget and Finance Policy Committees by the end of March 2022 as to the specific allocation among the three priorities to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

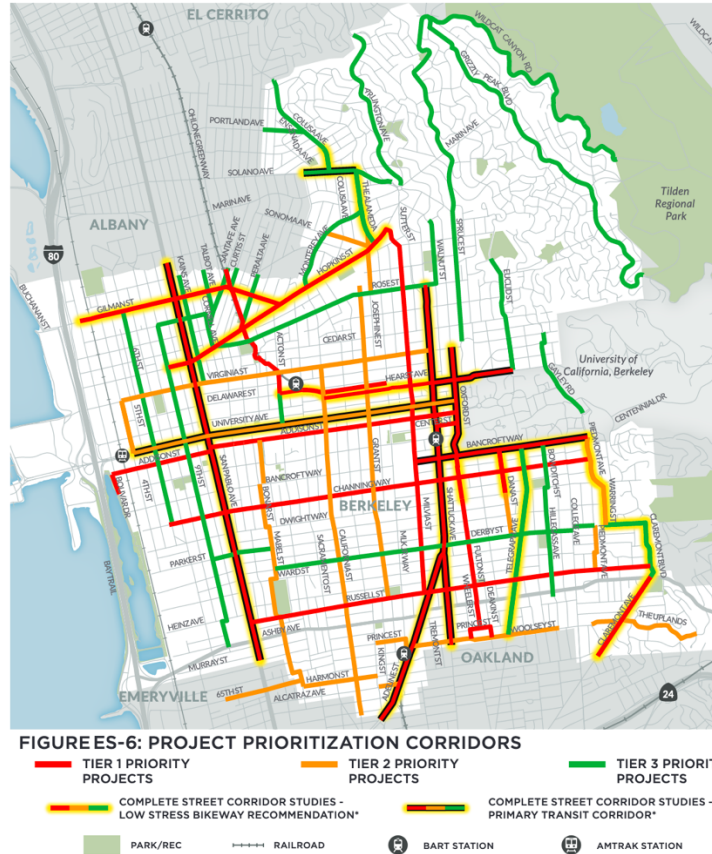
The TNC tax first went into effect during the second half of FY 2021 (January 1, 2021), during which the City received approximately \$178,138. Unfortunately, Council did not specifically allocate these revenues for mobility purposes and they were folded into the General Fund.

Finance Department staff report that the City collected approximately \$144,196.50 for the first quarter of FY 2022. Projected forward, the latest collection indicates growth as compared to FY 21—likely the result of the deployment of vaccines, relative economic recovery, and an easing in pandemic restrictions. If the TNC performs at the same rate for FY 2022 quarters 2-4, the City could see approximately \$576,786 in total TNC Tax revenue for FY 2022. Therefore, the item refers the actual FY 2022 revenues to the FY 2022 May AAO #2 budget process to help fund the three priority projects.

In addition, this item assumes that TNC Tax revenues will continue to recover throughout FY 23 to 24, conservatively bringing revenues closer to City staff's yearly revenue estimate provided before the pandemic (approximately \$910,000 per year) and refers those amounts to the FY 23 and 24 biannual budget process.

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022



*Complete Street Corridor Studies are proposed multimodal transportation studies, not planned projects. Class IV Cycle Tracks and other bikeway types that might impact transit operations, parking, or roadway capacity will not be implemented without Complete Street Corridor Studies that will include a traffic study, environmental analysis, public process, and coordination with all affected State, County, and local transit agencies. Potential bikeways to be considered as part of future Complete Street Corridor Studies will be evaluated in the context of the modal priorities established by the Berkeley General Plan Transportation Element and the Alameda County Transportation Commission Countywide Multimodal Arterial Plan, as well as recommendations from AC Transit's Major Corridors Study. For further information, see Section 5.7 of the Berkeley Bicycle Plan.

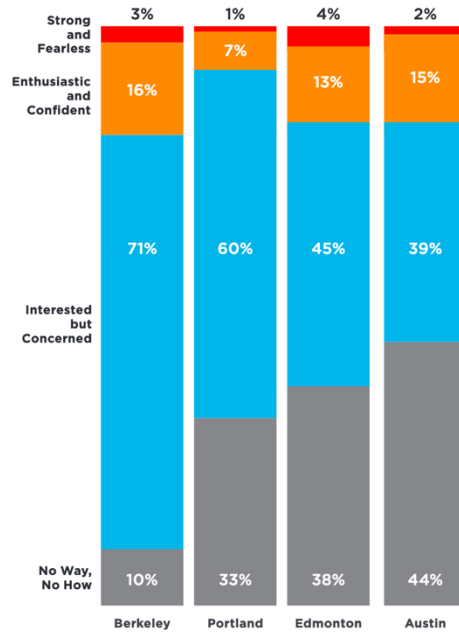
Tier 1 Priority Projects Highlighted in Red

Surveys conducted as part of the 2017 Berkeley Bicycle Plan provided key data about the eagerness of Berkeley residents to bicycle or use other forms of mobility, assuming the City provides safe infrastructure and routes. An astonishing 70% of Berkeley residents expressed interest in bicycling but were concerned about safety. The 2017 Plan concluded: “90 percent of Berkeley residents already bicycle or would consider bicycling if the right bikeway facility or roadway conditions were available. That is a larger percentage than any other city that has conducted a similar study, including Portland, as shown at right.”⁵

⁵ “City of Berkeley Bicycle Plan,” May 2, 2017, https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Berkeley-Bicycle-Plan-2017-Executive%20Summary.pdf

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022



Roger Geller's "Four Types of Transportation Cyclists" distribution for Berkeley, Portland, OR, Edmonton, AB, and Austin, TX.

Berkeley has struggled to address its transportation GHG emissions, but the data suggest that biking and mobility options could dramatically offset vehicle miles travelled. It is in the public interest to invest General Fund revenue, namely TNC Tax revenue, in street enhancements that can encourage mode shifts from vehicles to carbon-free transportation.

For example, if Council were to allocate the TNC Tax accordingly over next ten years, the period scientists consider critical to meet global emissions reductions targets, the City could fund 50% of the total "Class 4: Cycletrack" costs provided in the Bike Plan, and thus maximize the number of Berkeleyans who deem the streets safe enough to ride. Certainly, the expenditures proposed herein will not be enough to adequately fund Berkeley's entire bike network, but they represent an important down payment.

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

Table ES-3: Summary of Project Recommendations and Cost Estimates

TYPE	MILEAGE	COST ESTIMATE
Class 1A: Paved Path	1.5 miles	\$5,285,700
Class 2A: Standard Bike Lane	0.1 miles	\$10,700
Class 2B: Upgraded Bike Lane	3.0 miles	\$541,500
Class 3C: Sharrows	13.9 miles	\$71,600
Class 3E: Bicycle Boulevard	12.4 miles	\$621,900
Class 4: Cycletrack	18.4 miles	\$9,903,300
Complete Street Corridor Interim Treatments	17.0 miles	\$1,181,400
Intersection and Traffic Calming Improvements	-	\$16,855,000
Total	66.3 miles	\$34,471,100

In addition, expanding reliability and access to public transit is also key to lowering GHG emissions and improving quality of life. Revenue generated from the TNC user tax should benefit bus transit performance and the transit rider experience since transit has been particularly impacted by the influx in TNC volume and use. To demonstrate the immediate benefits of these funds to transit, projects should be implemented with AC Transit's Quick-build framework structure as pilot and demonstration projects that could be implemented in under 18 months.

The City, AC Transit and local Business Improvement Districts are developing a list of City infrastructure improvements to support transit use with a focus on prioritizing transit, including dedicated bus lanes, bulb outs and paving treatments, and improving transit rider access and experience. For example, the City could add transit shelter canopies at the stops near senior centers and enhancing benefits for nearby businesses through building parklets and other customer amenities that serve both business patrons and bus riders, with the goal of encouraging patrons to visit businesses via public transit. In addition, funding could be dedicated to a quick-build transit lane along Durant Street, as this project has been evaluated by AC Transit and City of Berkeley Transportation staff. Since preliminary coordination has been done, using these funds to augment this project would realize an immediate impact.

Any allocation will be overseen by a joint working group of AC Transit and City of Berkeley staff to quickly realize the benefits to transit. Out-years projects will be determined by the City of Berkeley Transportation Commission, or another process deemed appropriate by the City Council.

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

The item also includes consideration of priority pedestrian projects identified by the 2020 Pedestrian Plan consistent with Vision Zero, climate, and equity goals.⁶

FIGURE 14: MAP OF PRIORITY STREETS

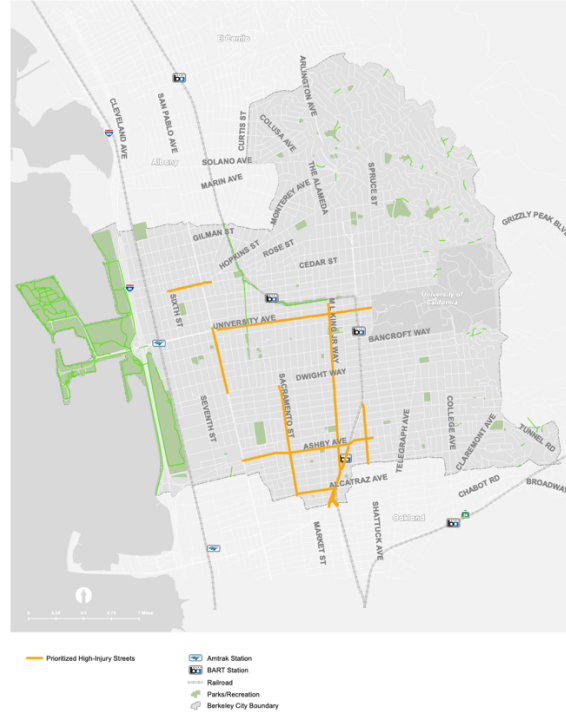


TABLE 7: PRIORITY STREET SEGMENTS

SEGMENT	EXTENTS
Adeline Street	Ashby to Southern City Limits
Alcatraz Avenue	Sacramento to Adeline
Ashby Avenue	San Pablo to Shattuck
Cedar Street	Sixth to Stannage
Martin Luther King Jr Way (North)	Hearst to Dwight
Martin Luther King Jr Way (South)	Dwight to Adeline
Sacramento Street	Dwight to Southern City Limits
San Pablo Avenue	University To Dwight
Shattuck Avenue	Adeline to Southern City Limits
University Avenue	San Pablo to Oxford

⁶ 2020 City of Berkeley Pedestrian Plan, Transportation Division, https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/2020%20Pedestrian%20Plan%20FULL%20adopted.pdf

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

Prioritization criteria for the 2020 Plan included citywide “[project] improvements and countermeasures identified for the top ten high-injury street segments.” The prioritization also includes important equity criteria, including consideration of underserved neighborhoods and redlining maps. Most priority streets are located in West, South, and Central Berkeley, while simultaneously serving citywide purposes.

TABLE 6: PRIORITIZATION FACTORS AND CRITERIA

FACTOR	CRITERIA	WEIGHT	NOTES
Safety	Concentration of fatal and severe collisions	30%	Captures locations with a high concentration of pedestrian fatalities, injuries, and collisions, as noted City priority.
Equity	Locations in historically underserved neighborhoods (shown in Figure 13)	30%	Uses historic redlining maps with adjustments based on most recent (2010) Census data, current property values, and locations of community centers serving historically redlined neighborhoods.
Connectivity	Pedestrian Demand: Land uses attracting most pedestrian trips including BART and Amtrak stations (High Demand Intersections)	13.5%	Uses pedestrian demand estimates to identify where pedestrians are walking. Top 30% of intersections are used, with each top 10% intersection group by demand receiving a different weight.
	Transit Access: Proximity to major bus lines	6.5%	Uses distance of 0.25-mile from major AC Transit routes as defined in the AC Transit Major Corridors Study completed in 2016.
Existing Plan	Unbuilt projects from 2010 Pedestrian Plan	20%	Recognizes existing work from the 2010 Berkeley Pedestrian Plan.

Given that voters in 2020 overwhelmingly supported the tax on the condition that it would improve mobility infrastructure in Berkeley and help offset externalities caused by TNC companies, it is in the public interest to allocate the TNC Tax revenues in FY22-24 for priority mobility projects. In addition, it is in the public interest to ask the City’s Public Works and Transportation Commission to consult the Council Committees as to the specific allocation among the priorities listed in Recommendation 1. a. in order to equitably maximize transportation emissions reductions and to enhance mobility and public safety.

FINANCIAL IMPLICATIONS

The item would have a net zero impact on the General Fund after considering the estimated \$576,786 revenue credited from the TNC Tax in FY 2022 and \$1.4 to 1.8 million in FY 23-24.

ENVIRONMENTAL SUSTAINABILITY

Reducing carbon emissions at an emergency and equitable pace is a necessary step to meet the goals of the Climate Action Plan and Climate Emergency Declaration.

JUST TRANSITION

Substituting automobile vehicle miles travelled with low-carbon mobility can help reduce

Budget Referral: Allocate Projected Revenues from Voter-approved Transportation Network Company User Tax to Support Priority Mobility Infrastructure, Including Tier 1 Protected Bicycle Lanes and Crossings, Pedestrian Street Crossings, and Quick-build Public Transit Projects

CONSENT CALENDAR
January 18, 2022

greenhouse gas emissions and air pollution, which disproportionately impact frontline communities.

The item considers priority pedestrian projects identified by the 2020 Pedestrian plan using various equity criteria, including historically redlined, underserved and senior neighborhoods. The item also refers to the Public Works and Transportation Commissions (or Successor Commission) to equitably consider how to best allocate TNC revenues across each of the priority categories.

Consistent with City values and equity initiatives, project investments should benefit unionized and minority-owned contractors.

CONTACT PERSON

Councilmember Kate Harrison, Council District 4, 510-981-7140