

**Alameda County Transportation Commission
Implementation Guidelines for
the Local Streets and Roads Program Funded through
Measure B and Vehicle Registration Fees**
(Adopted December 16, 2011)

Section 1. Purpose

- A. To delineate the eligible uses of Local Streets and Roads funds authorized under Alameda County Transportation Commission Master Program Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B and Vehicle Registration Fees (VRF) pass-through funds. These guidelines are incorporated by reference in the Master Program Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines is to:
1. Provide guidance on Local Streets and Roads funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Local Streets and Roads Program implementation.

Section 2. Authority

- A. These Implementation Guidelines have been adopted by the Alameda County Transportation Commission and set forth eligible uses and expenditures for the Local Streets and Roads funds. The Alameda CTC may update these guidelines on an as-needed basis and will do so with involvement of its technical and community advisory committees (as applicable). Exceptions to these guidelines must be requested in writing and be approved by the Alameda CTC Board.

Section 3. Background

- A. Alameda CTC developed Implementation Guidelines for the Local Streets and Roads funds to clarify eligible fund uses and expenditures in association with new, 10-year Master Program Funding Agreements for the November 2000 voter-approved Measure B pass-through funds. The Expenditure Plan allocates 22.34 percent of Measure B funds for Local Streets and Roads programs and projects. The original program funding agreements for Measure B pass-through funds expired in spring 2012, and Alameda CTC put in place the new Master Program Funding Agreements to continue fund allocations for the remaining term of Measure B funds allocations through June 2022. In addition, the Master Program Funding Agreements include a new local, voter-approved revenue stream, the Vehicle Registration Fee (VRF), which will provide approximately \$11 million per year for transportation improvements throughout the County. The VRF includes 60 percent of net revenues for a Local Streets and Roads Program. These Implementation Guidelines define the eligible uses and allocation process for the Measure B and VRF Local Streets and Roads funds and reflect new policies approved by the Alameda CTC.

Section 4. Definition of Terms

- A. **Alameda CTC:** The Alameda County Transportation Commission is a Joint Powers Authority created by the merger of the Alameda County Congestion Management Agency, which performed long-range planning and funding for countywide transportation projects and programs, and the Alameda County Transportation Improvement Authority, which administered the voter-approved, half-cent transportation sales taxes in Alameda County (the Measure B sales tax programs approved in 1986 and 2000).
- B. **Bike parking:** Bike racks and lockers, bike shelters, attended bike parking facilities, and bike parking infrastructure.
- C. **Bikeways and multiuse paths:** Bike lanes, bike boulevards, sidepaths, bike routes, multiuse pathways, at-grade bike crossings, and maintenance of bikeway facilities.
- D. **Bridges and tunnels:** Crossings above or below grade for bicycles, pedestrians, and/or autos and transit.
- E. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- F. **Complete Street:** A transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Complete street concepts apply to rural, suburban, and urban areas. (Caltrans definition)
- G. **Complete Streets Act of 2008:** The California Complete Streets Act (Assembly Bill 1358) was signed into law in September 2008. It requires that local jurisdictions modify their general plans as follows:
- “(A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.
- (B) For the purposes of this paragraph, “users of streets, roads, and highways” means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.”
- H. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- I. **Cost Allocation Plans (CAPs):** CAPs and indirect cost (IDC) rate proposals are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Local Streets and Roads programs funded through the Alameda CTC Master Program Funding Agreements.
- J. **Direct cost:** A cost completely attributed to the provision of a service, operations, a program, a capital cost, or a product. These costs include documented hourly project staff

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labor charges (salaries, wages, and benefits) that are directly and solely related to the implementation of the Alameda CTC-funded Local Streets and Roads projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Local Streets and Roads funds.

- K. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- L. **Environmental documents:** Preparation of environmental documents, such as those related to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), or permits required by state or federal permitting agencies.
- M. **Equipment and new vehicles:** Purchase or lease of vehicles and equipment for service improvements, such as information dissemination, fare collection, etc.
- N. **Grants:** Funding for plans, programs, or projects based on a competitive call for projects; evaluated based on adopted evaluation criteria; and allocated based on a reimbursement basis.
- O. **Indirect cost:** Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officers’ salaries, accounting department costs, and personnel department costs, which are requisite for general operation of the organization but are not directly allocable to a particular service or product.
- P. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- Q. **Measure B:** Alameda County’s half-cent transportation sales tax, originally approved in 1986, and reauthorized by voters in November 2000. Collection of the sales tax began on April 1, 2002. Administered by the Alameda CTC, Measure B funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- R. **Operations:** Provision of services that operate transportation facilities and programs. Operations costs do not include the costs to operate community outreach or other programs not directly related to a specific transportation service, program, or product.
- S. **Pass-through funds:** Funds allocated based on a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter-approved measure and provided to eligible jurisdictions on a regularly scheduled basis (such as a regular monthly payment).
- T. **Pedestrian crossing improvements:** At-grade pedestrian crossing improvements such as crosswalks, roadway/geometric changes, or reconfiguration specifically benefiting pedestrians.
- U. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- V. **Planning area:** Four geographical sub-areas of the county (Planning Areas 1, 2, 3, and 4). The sub-areas of the county are defined by the Alameda CTC as follows:

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1. Planning Area 1 – North Area: Cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont
 2. Planning Area 2 – Central Area: Cities of Hayward and San Leandro, and the unincorporated areas of Castro Valley and San Lorenzo, as well as other unincorporated lands in that area
 3. Planning Area 3 – South Area: Cities of Fremont, Newark, and Union City
 4. Planning Area 4 – East Area: Cities of Dublin, Livermore, and Pleasanton, and all unincorporated lands in that area
- W. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- X. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- Y. **Sidewalks and ramps:** New sidewalks, sidewalk maintenance, curb ramps, and stairs/ramps for pedestrian and Americans with Disabilities Act access.
- Z. **Signage:** Warning, regulatory, wayfinding, or informational signage.
- AA. **Signals:** New traffic signals or crossing signals, signal upgrades, countdown signals, audible signals, or signal timing improvements.
- BB. **Street resurfacing and maintenance:** Repaving and resurfacing of on-street surfaces, including striping.
- CC. **Traffic calming:** Infrastructure primarily aimed at slowing down motor vehicle traffic.
- DD. **Vehicle Registration Fee (VRF):** Measure F, Alameda County’s VRF Program, approved by the voters in November 2010 with 63 percent of the vote. It will generate approximately \$11 million per year through a \$10 per year vehicle registration fee. Administered by the Alameda CTC, the VRF funds four main types of programs and the distribution percentage is as follows: local streets and roads (60 percent); transit (25 percent); local transportation technology (10 percent); and bicycle and pedestrian projects (5 percent).

Section 5. Local Streets and Roads Fund Allocations

- A. These Implementation Guidelines provide guidance on the Local Streets and Roads Fund allocation process for Measure B and VRF pass-through funds.
1. Measure B Local Streets and Roads Pass-through Funds
 - a. *General:* Alameda CTC distributes Measure B Local Streets and Roads Pass-through Funds to cities in the county and to Alameda County to be spent on transportation capital improvements for surface streets and arterial roads, and maintenance and upkeep of local streets and roads, including repaving streets, filling potholes, and upgrading local transportation infrastructure. These funds are intended to maintain and improve local streets and roads in Alameda County, and may be used for any local transportation need based on local priorities, including streets and roads

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projects, local transit projects, bicycle and pedestrian projects, projects (sponsored by others) that require local agency support, and other transportation uses as approved through a public process by the jurisdiction.

The pass-through funds constitute 100 percent of the total Measure B Local Streets and Roads funds. Each city and Alameda County will receive their proportional share (which share shall be adjusted annually as described in the Master Program Funding Agreement) of the local transportation pass-through funds within their sub-area based on a formula weighted 50 percent by the population of the jurisdiction within the sub-area and 50 percent on the number of road miles within the sub-area. These funds are allocated on a monthly basis directly to each city and the County. These funds must be placed in a separate account from the VRF Funds.

- b. *Eligible Uses:* The Measure B Local Streets and Roads pass-through funds may be used for capital projects, programs, maintenance, or operations that directly improve local streets and roads and local transportation. Eligible uses for these funds include, but are not necessarily limited to:
- 1) Capital projects, including:
 - a) All phases of capital projects, including feasibility studies, planning, and environmental
 - b) Upgrades to or installation of new local streets and roads infrastructure including installation of streets, roads, and highways
 - c) Street resurfacing and maintenance including repaving and resurfacing of on-street surfaces including striping
 - d) Improvements or upgrades to bridges and tunnels
 - e) Installation of or upgrades to sidewalks and curb ramps
 - f) Americans with Disabilities Act (ADA) on-street improvements, including sidewalk upgrades and curb ramp installations
 - g) Purchase or lease of equipment or new vehicles for local streets and roads improvements
 - h) Crossing improvements including traffic signals, signage, and traffic lights (at intersections, interchanges, railroads, freeways, etc.) for drivers, pedestrians, and bicyclists
 - i) Improvements to or installation of new pedestrian facilities (e.g., sidewalks, curb ramps, countdown signals, accessible signals, at-grade bike crossings)
 - j) Improvements or upgrades to or installation of new bikeways (such as bicycle routes, boulevards, lanes, multi-use pathways)

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- k) Maintenance of or installation of bicycle and pedestrian facilities, including construction, maintenance, and operations of bike parking facilities.
 - l) Pedestrian and bicycle access improvements to, from and at transit facilities
 - m) Traffic calming projects
- 2) Transit system operations, operations of traffic signal system controls and interconnections, and corridor monitoring and management
 - 3) Mass transit project operations including bus, ferry, shuttle, rail, and Welfare to Work services
 - 4) Paratransit services
 - 5) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
 - 6) Direct staff training costs directly related to implementation of projects or programs implemented with the Local Streets and Roads Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Local Streets and Roads pass-through funds:
- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities not related to transportation
 - 2) Capital projects, programs, maintenances, or operations that do not directly improve local streets and roads and local transportation
 - 3) Projects or programs that exclusively serve city/county staff
 - 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan
- d. *List of Projects/Programs:* All projects and programs that use Measure B Local Streets and Roads pass-through funds must receive governing board approval prior to the jurisdiction expending the pass-through funding on the project/program. This approval allows the opportunity for the public to provide input on planning for local streets and roads projects. These projects and programs must be included in any of the following, as long as they have been adopted by the jurisdiction's governing board:
- 1) List of projects on which to specifically spend Measure B funds
 - 2) Local Streets and Roads Master Plan with priority projects
 - 3) Capital Improvement Program

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- 4) A resolution, such as to submit a grant application

Furthermore, the jurisdiction must submit to Alameda CTC the list of projects/programs on which the jurisdiction will spend Measure B pass-through funding in advance of expending the funds. The jurisdiction must submit projects and programs to the Alameda CTC through the annual end-of-year compliance report for Measure B funds.

2. VRF Local Streets and Roads Pass-through Funds

- a. *General:* Alameda CTC distributes VRF Local Streets and Roads Pass-through Funds to cities in the county and to Alameda County to be spent on transportation capital improvements for surface streets and arterial roads, and maintenance and upkeep of local streets and roads. These funds are intended to maintain and improve local streets and roads as well as a broad range of facilities in Alameda County (from local to arterial facilities).

The pass-through funds constitute 100 percent of the total VRF Local Streets and Roads funds and are distributed among the four planning areas of the county. VRF local streets and roads pass-through funds within the geographic planning area are based on a formula weighted 50 percent by the population of the jurisdiction within the planning area and 50 percent of the number of registered vehicles in the planning area. VRF local streets and roads funds will be distributed by population within a planning area.

Allocations may change in the future based on changes in population and number of registered vehicle figures. Recipients are not required to enter into a separate agreement with Alameda CTC prior to receipt of such funds. Agencies will maintain all interest accrued from the VRF Local Road Program pass through funds within the program. These funds are allocated on a monthly basis directly to each city and the County. These funds must be placed in a separate account from the Measure B Funds.

- b. *Eligible Uses:* The VRF Local Streets and Roads pass-through funds may be used for improving, maintaining, and rehabilitating local roads and traffic signals. It will also incorporate the Complete Streets practice that makes local roads safe for all modes, including bicyclists and pedestrians, and accommodates transit. Eligible uses for these funds include, but are not necessarily limited to:

- 1) Street repaving and rehabilitation, including curbs, gutters and drains
- 2) Traffic signal maintenance and upgrades, including bicyclist and pedestrian treatments
- 3) Signage and striping on roadways, including traffic and bicycle lanes and crosswalks
- 4) Sidewalk repair and installation
- 5) Bus stop improvements, including bus pads, turnouts and striping

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- 6) Improvements to roadways at rail crossings, including grade separations and safety protection devices
 - 7) Improvements to roadways with truck or transit routing
- c. *Ineligible Uses:* The following is a list of ineligible uses of VRF Local Streets and Roads pass-through funds:
- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities that are not related to transportation
 - 2) Projects or programs that are not directly related to streets and roads improvements
 - 3) Projects or programs that exclusively serve city/county staff
 - 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.

Section 6. Complete Streets Policy Requirement

- A. To receive Measure B and VRF funds, local jurisdictions must do both of the following with respect to Complete Streets policies:
1. Have an adopted Complete Streets policy, or demonstrate that a policy is being developed and will be adopted by June 30, 2013. This policy should include the “Elements of an Ideal Complete Streets Policy” developed by the National Complete Streets Coalition (<http://www.completestreets.org/webdocs/policy/cs-policyelements.pdf>). Resources will be developed by the Alameda CTC to assist local jurisdictions with developing and implementing complete streets policies.
 2. Comply with the California Complete Streets Act of 2008. The California Complete Streets Act (AB1358) requires that local general plans do the following:
 - a. Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.
 - b. For the purposes of this paragraph, “users of streets, roads, and highways” means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

The Governor’s Office of Planning and Research has developed detailed guidance for meeting this law: *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* (http://www.opr.ca.gov/planning/docs/Update_GP_Guidelines_Complete_Streets.pdf).

Section 7. Pavement Condition Index Reporting

- A. To receive Measure B and VRF funds, local jurisdictions must do both of the following with respect to the reporting of an agency's pavement condition (PCI) index:
 - 1. Annually report on the citywide pavement condition index (PCI), which rates the "health" of local streets from 1 to 100, in the Annual Program Compliance Report Form. Where applicable, this information will be consistent with material provided for MTC reporting requirements.
 - 2. If the PCI falls below a total average index of 60 (fair condition), specify in the Annual Program Compliance Report what funding amounts, policies, or other needs are required to enable increasing the recipient's PCI to 60 or above.

Section 8. Advancement of Pass-through Funds

- A. The Alameda CTC may consider advancing future year pass-through funds, with the goal of seeing improvements made in the near term. If a jurisdiction is interested in this option, a written request to the Alameda CTC Director of Finance and a copy to the Deputy Director of Projects and Programs, indicating the amount of funds requested and the projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

Section 9. Adoption of Implementation Guidelines

- A. Implementation Guidelines are adopted by the Alameda CTC on an as-needed basis. Changes to Implementation Guidelines will be brought through the Alameda CTC's Technical Advisory Committee for review and comment, as well as any other Alameda CTC committees as necessary, before changes are adopted by the Alameda CTC Board.