

DRAFT Implementation Guidelines

For the Bicycle and Pedestrian Safety Program funded through Measure B and Vehicle Registration Fees

1. Purpose

To guide the eligible uses of Bicycle and Pedestrian Safety Funds authorized under Alameda County Transportation Commission Master Programs Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B pass-through funds and Measure B and Vehicle Registration Fees (VRF) grant funds. These guidelines are incorporated by reference in the Master Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines are to:

- Provide guidance on Bicycle and Pedestrian Safety funds eligible uses and expenditures
- Define the terms in the Master Funding Agreements, and
- Guide Bicycle and Pedestrian Program implementation.

2. Authority

These Implementation Guidelines have been adopted by the Alameda County Transportation Commission and guide eligible uses and expenditures for the Bicycle and Pedestrian Safety 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 come before the Alameda CTC for approval.

3. Background

Implementation guidelines for the Bicycle and Pedestrian Safety Funds were developed to clarify eligible fund uses and expenditures in association with new, 10-year Master Programs Funding Agreements for the November 2000 voter-approved Measure B pass-through funds. The original program funding agreements for Measure B pass-through funds expired in spring 2012, and the new Master Programs Funding Agreements were put in place to continue fund allocations for the remaining term of Measure B funds allocations through June 2022. In addition, the Master Programs Funding Agreements include a new local, voter-approved revenue stream, the Vehicle Registration Fee (VRF), which will provide approximately \$10 to \$11 million per year for transportation improvements throughout the County. The VRF includes 5% of net revenues for a Bicycle and Pedestrian Safety Fund. These Implementing Guidelines define the eligible uses and allocation process for the VRF Bicycle and Pedestrian Safety Fund and reflect new policies approved by the Alameda CTC.

4. Definition of Terms

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 1986 and 2000 approved Measure B sales tax programs)

Capital project: A bicycle and pedestrian capital investment that typically follows the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.

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)

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.”

Construction (includes PS&E): Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates.

Cost Allocation Plans (CAPs): CAPs and Indirect cost rate proposals (IDCs) are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Bicycle and Pedestrian Safety programs funded through the Alameda CTC Master Program Funding agreements. CAPs and IDCs must be approved by the Alameda CTC.

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 labor charges (salaries, wages and benefits) which are directly and solely related to the implementation of the Alameda CTC-funded Bicycle and Pedestrian Safety Funds, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Bicycle and Pedestrian Safety Funds.

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.

Grants: Funding for plans, programs or projects based upon a competitive call for projects, an evaluation process based on adopted evaluation criteria and allocated based upon a reimbursement basis.

Indirect cost: Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officer's 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.

Local Bicycle Master Plan/Local Pedestrian Master Plans: Locally adopted plans that, at a minimum, examine existing conditions for walking and/or bicycling, and provide recommendations on improving the walking and/or bicycling environment, and prioritize these improvements. These plans may be stand-alone bicycle and pedestrian plans or may be a joint plan that addresses both walking and bicycling.

Maintenance: Repairs, renovation, or upgrade of existing facility or infrastructure.

Measure B: Alameda County’s half-cent transportation sales tax, originally approved in 1986, then 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.

Operations: In transportation, management and provision of services and 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.

Pass-Through Funds: Funds are allocated based upon 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 schedule basis (such as a regular monthly payment).

Planning: Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.

Project Completion/Closeout: Inspection/project acceptance, final invoicing, final reporting, and processes for closing out project.

Scoping and Project Feasibility: Early capital project phases that identify project needs, costs and implementation feasibility.

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 (with the funding distribution noted in parenthesis): local streets and roads (60 percent); transit (25 percent); local transportation technology (10 percent); and bicycle and pedestrian projects (5 percent).

5. Bicycle and Pedestrian Safety Fund Allocations

These implementation Guidelines provide guidance on two types of Bicycle and Pedestrian Safety allocation processes: pass-through funds and grants.

Measure B Bicycle and Pedestrian Pass-Through Funds

General:

The Measure B Bicycle and Pedestrian Pass-Through Funds are distributed to cities in the county and to Alameda County to be spent on planning and construction of bicycle and pedestrian projects, and the development and implementation of bicycle and pedestrian programs. These funds are intended to expand and enhance bicycle and pedestrian facilities in Alameda County, focusing on high priority projects like gap closures and intermodal connections.

The pass-through funds constitute seventy-five percent of the total Measure B bicycle/pedestrian funds. Each city and Alameda County will receive their proportional share of the pass-through funds based on population over the life of the Measure. These funds are allocated on a monthly basis directly to each city and the County.

Eligible Uses:

The Measure B Bicycle/Pedestrian pass-through funds may be used for any capital project, program or plan that directly addresses bicycle and pedestrian access, convenience, safety and usage.

Eligible uses for these funds include, but are not necessarily limited to:

- Capital Projects, including:
 - New pedestrian facilities (e.g. sidewalks, curb ramps, countdown signals, accessible signals)
 - Improvements to existing pedestrian facilities
 - New bikeways (such as bicycle routes, boulevards, lanes, multi-use pathways)
 - Improvements or upgrades to existing bikeways

- Maintenance of bicycle and pedestrian facilities
- Crossing improvements (at intersections, interchanges, railroads, freeways, etc.) for pedestrians and bicyclists
- Bicycle parking facilities, including construction, maintenance and operations
- ADA on-street improvements
- Signage for pedestrians and/or bicyclists
- Pedestrian and bicycle access improvements to, from and at transit facilities
- Traffic calming projects
- All phases of capital projects, including feasibility studies, planning, and environmental
- Development of Local Bicycle and/or Pedestrian Master Plans, and updates of Plans
- Design and implementation of education, enforcement, outreach, and promotion programs
- Staffing to develop, plan, implement, operate and maintain the bicycle and pedestrian projects and programs.
- Maintenance of the portion of the street most often used for bicycling (such as a bicycle lanes)
- Bicycle/pedestrian capital projects on non-city property, such as on school district property.
- Staff time to complete End of Year compliance reports
- Crossing guards
- Staff training costs that are directly related to implementation of projects, plans or programs implemented with the Bicycle and Pedestrian Safety Funds

Ineligible Uses:

The following is a list of ineligible uses of Measure B Bicycle/Pedestrian pass-through funds:

- Repaving of the entire roadway (see “Eligible Uses” above for exceptions)
- Projects or programs that exclusively serve city/county staff

List of Projects/Programs:

All projects and programs that use Measure B Bicycle and Pedestrian Safety 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 bicycle and pedestrian safety. These projects and programs may be included in any of the following, as long as they have been adopted by the jurisdiction's governing board:

- list of projects on which to specifically spend Measure B funds,
- a Local Bicycle and/or Pedestrian Master Plan with priority projects,
- a Capital Improvement Program, or
- a resolution, such as to submit a grant application.

Furthermore, the jurisdiction must submit the list of projects/programs on which Measure B pass-through funding will spent to Alameda CTC in advance of expending the funds. Projects and programs must be submitted to the Alameda CTC through the Annual End of Year Compliance Reporting for Measure B funds.

Bicycle and Pedestrian Grant Funds

The Alameda CTC will administer a bicycle and pedestrian discretionary grant program using a portion of each of the Measure B and the VRF Bicycle and Pedestrian Safety funds. The Alameda CTC will adopt *Grant Program Guidelines* before each grant cycle which will establish the guiding policies for that grant cycle, and will widely publicize each grant funding cycle.

Local jurisdictions, transit operators and Community Based Organizations in Alameda County will be eligible to apply for these competitive funds, and will assure its commitment in writing for any required project sponsor matching funds.

6. Complete Streets Policy Requirement

In order to receive Measure B and VRF funds, local jurisdictions must do both of the following in regards to complete street policies:

1) Have an adopted complete streets policy, or demonstrate that a policy is being developed and will be adopted by [*Date to be determined*]. 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).

7. Local Bicycle/Pedestrian Master Plan Requirement

In order to receive Measure B and VRF funds, local jurisdictions must do all of the following in regards to local bicycle and pedestrian master plans. The Alameda CTC will provide technical assistance and funding to local jurisdictions to meet these requirements through the competitive Bicycle and Pedestrian Safety Grant Program. Jurisdictions may also use pass-through funds for the development of local bicycle and pedestrian master plans.

- 1) Have an adopted Local Pedestrian Master Plan AND Local Bicycle Master Plan, OR have an adopted combined Local Pedestrian and Bicycle Plan; or demonstrate that the plan is being developed and will be adopted by Date to be determined].
- 2) Each plan must be updated, at a minimum, every five years. This policy is consistent with the state’s Bicycle Transportation Act (BTA) grant requirement for bicycle plans, and will ensure that plans are addressing current local needs, while also allowing jurisdictions to be eligible for BTA funding.
- 3) Each plan must include core elements to ensure that the plan is effective, and that plans throughout the county are comparable, to the extent that is reasonable, to facilitate countywide planning. The Alameda CTC will develop and maintain guidelines outlining these core elements. For pedestrian plans, these elements are described in the *Toolkit for Improving Walkability in Alameda County*: <http://www.actia2022.com/ped-toolkit/ACTIA-ped-toolkit.pdf>. The Alameda CTC will develop guidelines for bicycle plans.

8. Advancement of Pass-Through Funds

ACTIA will 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, it should submit a letter to the Alameda CTC Finance and Administration Manager, with a copy to the Alameda CTC Countywide Bicycle/Pedestrian Coordinator, indicating the amount of funds requested and the projects on which the funds will be spent. These requests will be considered on an individual basis.

9. Adoption of Implementation Guidelines

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, for comment before changes are adopted by the Alameda CTC Board.

10. Adoption Date

Adopted on [INSERT Date] by resolution [INSERT Resolution Number]

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