



ALAMEDA COUNTY

# TRANSPORTATION IMPROVEMENT MEASURE

EXPENDITURE PLAN

## A. Purpose of the Expenditure Plan

The Alameda County Vehicle Registration Fee Expenditure Plan (Plan) will guide the annual expenditures of the funds generated by a \$10 per year vehicle registration fee (Fee), if approved by voters in the November 2010 election. Alameda County has very significant unfunded transportation needs, and this Fee would provide funding to meet some of those needs. It is expected that this Fee will generate approximately \$11 million per year.

The goal of this Plan is to support transportation investments in a way that sustains the County's transportation network and reduces traffic congestion and vehicle-related pollution. The Fee would be a key part of an overall strategy to develop a balanced, well thought-out program that improves transportation and transit for County residents. The Fee will fund programs that:

- Repair and maintain local streets and roads in the county.
- Make public transportation easier to use and more efficient.
- Make it easier to get to work or school, whether driving, using public transportation, bicycling or walking.
- Reduce pollution from cars and trucks.

The Plan would have the following specific elements:

- All of the money raised by the Fee would be used exclusively for transportation in Alameda County.
- None of the funds raised, outside of the costs incurred by the Department of Motor Vehicle to collect the Fee, can be taken by the State.
- Projects and programs included in the Expenditure Plan must have a relationship or benefit to the owner's of motor vehicles paying the Fee.
- Help fund roadway repairs and maintenance that make roads in Alameda County safer for motorists, bicyclists and pedestrians.
- Provide investments that will help create a smarter, more efficient transportation system.
- Establish a reliable source of funding to help fund critical and essential local transportation programs.
- Provide matching funds for funding made available from state general obligation bonds.
- Maintain and improve the County's transportation network while maintaining geographic equity, over successive five year cycles.

## B. Statutory Authorization and Requirements

The opportunity for a Countywide transportation agency to place this Fee before the voters was authorized in 2009 by the passage of Senate Bill 83, authored by Senator Loni Hancock (Oakland). The Alameda County Congestion Management Agency (Agency) shall place a transportation measure (Measure) on the November 2, 2010 ballot to enact a \$10 vehicle registration fee that would be used for local transportation and transit improvements throughout Alameda County. A majority vote of the electorate is required to adopt this Fee.

The statute requires that the Fee collected be used only to pay for programs and projects that bear a relationship or benefit to the owners of motor vehicles paying the Fee and be consistent with a Regional Transportation Plan. The Fee will be imposed on each annual motor-vehicle registration or renewal of registration in Alameda County occurring on or after six-months following the November 2, 2010 election, where the Measure was approved by the voters, for an unlimited period, unless otherwise terminated by the voters of Alameda County. To implement this Fee, the statute requires the governing board of the Agency to adopt an Expenditure Plan. The statute also requires the ballot Measure resolution be approved by majority vote of the Agency members at a noticed public hearing.

## C. Programmatic Expenditures

The Plan identifies four types of programs that will receive funds generated by the Fee. Below are descriptions of each program and the percentage in parentheses of the annual revenue that will be allocated to each program after deducting for the Agency's administrative costs.

### Local Road Improvement and Repair Program (60%)

This program would provide funding for improving, maintaining and rehabilitating local roads and traffic signals. It also would incorporate the "complete streets" practice that makes local roads safe for all modes, including bicyclists and pedestrians, and accommodates transit. Projects eligible could include:

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

- Improvements to roadways at rail crossings, including grade separations and safety protection devices
- Improvements to roadways with truck or transit routing

#### Transit for Congestion Relief Program (25%)

This program would seek to make it easier for drivers to use public transportation, make the existing transit system more efficient and effective, and improve access to schools and jobs. The goal of this program is to decrease automobile usage and thereby reduce both localized and area-wide congestion and air pollution. Projects eligible could include:

- Transit service expansion and preservation to provide congestion relief such as express bus service in congested areas
- Development and implementation of transit priority treatments on local roadways
- Employer or school-sponsored transit passes such as an “EcoPass Program”
- Park-and-ride facility improvements
- Increased usage of clean transit vehicles
- Increased usage of low floor transit vehicles
- Passenger rail station access and capacity improvements

#### Local Transportation Technology Program (10%)

This program would continue and improve the performance of road, transit, pedestrian and bicyclist technology applications, and would accommodate emerging vehicle technologies such as electric and plug-in-hybrid vehicles. Projects eligible could include:

- Development, installation, operations, monitoring and maintenance of local street and arterial transportation management technology such as the “Smart Corridors Program”, traffic signal interconnection, transit and emergency vehicle priority, advanced traffic management systems and advanced traveler information systems
- Infrastructure for alternative vehicle fuels such as electric and plug-in-hybrid vehicle stations
- New or emerging transportation technologies that provide congestion or pollution mitigation
- Advance signal technology for walking and bicycling

#### Pedestrian and Bicyclist Access and Safety Program (5%)

This program would seek to improve the safety of bicyclists and pedestrians by reducing the conflicts with motor vehicles and to reduce congestion in areas such as schools, downtowns, transit hubs and other high activity locations. It also would seek to improve bicyclist and pedestrian safety on arterials and other locally-maintained roads and to reduce occasional congestion that may occur with incidents. Projects eligible could include:

- Improved access and safety to schools, such as “Safe Routes to Schools Programs”, “Greenways to Schools Programs”, and other improvements (including crosswalk, sidewalk, lighting and signal improvements) for students, parents and teachers
- Improved access and safety to activity centers (such as crosswalk, sidewalk, lighting and signal improvements)
- Improved access and safety to transit hubs (such as crosswalk, sidewalk, lighting and signal improvements)
- Improved bicycle and pedestrian safety on arterials, other locally-maintained roads and multi-use trails parallel to congested highway corridors

## **D. Governing Board and Organizational Structure**

### **1. Agency Responsible for Administering Proceeds of Fee**

The Agency, pursuant to California Government Code Section 65089.20, shall place a majority vote ballot measure before the voters to authorize a \$10 per year increase in the motor vehicle registration fee. If so approved, the Agency will collect and administer the Fee in accordance with the Plan.

The Agency and the Alameda County Transportation Improvement Authority (Authority) have approved a merger of the two agencies into a new Alameda County Transportation Commission (Alameda CTC), which would have members from all the jurisdictions that currently are represented on the Agency’s Board. The Agency and the Authority expect to delegate all of their powers, assets and liabilities to Alameda CTC. Upon such delegation, the Fee would be collected and administered by the Alameda CTC pursuant to the Plan. All references to “Agency” include reference to Alameda CTC.

### **2. Contract with Department**

The Agency shall contract with the Department of Motor Vehicles to collect the fee imposed pursuant to California Government Code section 65089.20 upon the registration or renewal of registration of a motor vehicle registered in the County, except those vehicles that are expressly exempted under this code from the payment of registration fees, pursuant to California Vehicle Code section 9250.4, as approved by the voters of Alameda County.

### **3. Annual Budget Financial Projections**

The Annual Budget, adopted by the Agency each year, will project the expected Fee revenue, other anticipated funds and planned expenditures for administration and programs.

#### **4. Annual Report**

The Agency shall draft an Annual Report, which shall be made available to the public and will include the following:

- Revenues collected
- Expenditures by programs, including distribution of funds within each program and in each planning area of the County, and administrative costs
- Accomplishments and benefits realized by the programs
- Proposed projects for funding in each program

Before adopting the Annual Report, the Agency will hold a public meeting and will address public comments in the Annual Report.

#### **5. Use of Proceeds**

The proceeds of the Fee governed by this ordinance shall be used solely for the programs and purposes set forth in the Plan and for the administration thereof. The Agency will administer the proceeds of the Fee to carry out the mission described in the Plan. An equitable share of the funds will be distributed among the four geographical sub-areas of the county over successive five year cycles. Geographic equity is measured by a formula, weighted fifty percent by population of the sub-area (as published by the California Department of Finance) and fifty percent of registered vehicles of the sub-area (as determined by the California Department of Motor Vehicles). The definition of the sub-areas may change from time to time. A sponsor's costs shall be reimbursed for expenditures incurred on an approved project. Pursuant to California Government Code Section 65089.20, not more than five percent of the Fee shall be used for administrative costs associated with the programs and projects, including the amendment of the Plan.

Pursuant to California Vehicle Code Section 9250.4, the initial setup and programming costs identified by the Department of Motor Vehicles (Department) to collect the Fee upon registration or renewal of registration of a motor vehicle shall be paid by the Agency from the Fee. Any direct contract payment with the Department by the Agency shall be repaid, with no restriction on the funds, to the Agency as part of the initial revenue available for distribution. The costs deducted pursuant to this paragraph shall not be counted against the five percent administrative cost limit specified in California Government Code Section 65089.20(d).

The costs of placing the Measure authorizing imposition of the Fee on the ballot, including payments to the County Registrar of Voters and payments for the printing of the portions of the ballot pamphlet relating to the Fee, advanced by the Agency, shall be paid from the proceeds of this Fee, and shall not be counted towards the five percent limit on administrative costs. The costs of preparing the Plan, advanced by the Agency, shall be paid from the proceeds of the Fee subject to the five percent limit on administrative costs. At the discretion of the Agency, these costs may be amortized over a period of years.

The proceeds of the Fee shall be spent only inside the limits of Alameda County. None of the proceeds, outside of the costs incurred by the Department of Motor Vehicles to collect the fee, shall be taken by the State.

#### **6. Duration of Fee**

The Fee, if so approved, would be imposed annually unless repealed.

#### **7. Severability**

If any provision of this Plan or the application thereof to any person or circumstance is held invalid, the remainder of this Plan and the application thereof to other persons or circumstances shall not be affected. If any proposed expenditure based on this Plan is held invalid, those funds shall be redistributed to other expenditures in accordance with the Expenditure Plan.

#### **8. Amendments to the Plan**

It is expected that the Plan will be amended from time to time. Amendment to the Plan shall be approved by a two-thirds vote of the Agency Board. All jurisdictions within the County with representatives on Agency will be given a minimum of 45 days notice and opportunity to comment on any proposed Plan amendment prior to its adoption.

#### **9. Option to Bond**

The Agency shall be authorized to issue bonds for the purposes of implementing the Plan. The bonds will be paid with the proceeds of the Fee. The costs associated with bonding will be borne only by programs in the Plan utilizing the bond proceeds. The costs and risks associated with bonding will be presented in the Agency's Annual Budget and will be subject to public comment before approving a bond sale.

#### **10. Statute of Limitations**

Any suit, action or proceeding in any court against the Agency, or against any officer of the Agency, to prevent or enjoin the collection under this ordinance, of any Fee or any amount of Fee required to be collected must be brought within 120 days of the approval of the imposition of the Fee by the voters of Alameda County.

#### **11. Effective Date**

The Measure shall take effect at the close of the polls on the day of election at which the Fee is adopted by a majority of the electors voting on the Measure.