



AGENDA REPORT


TO: Jestin Johnson
City Administrator

FROM: Josh Rowan
Director, Oakland
Department of
Transportation

SUBJECT: SUPPLEMENTAL – Resolution
Amending Resolution No. 90326
C.M.S. And Resolution 90585 C.M.S.

DATE: February 27, 2025

City Administrator Approval


Jestin Johnson (Feb 28, 2025 09:26 PST)

Date: Feb 28, 2025

RECOMMENDATION

Adopt A Resolution Amending Resolution No. 90326 C.M.S. And Resolution 90585 C.M.S., Which Adopted And Amended The Fiscal Year 2024-2025 Midcycle Budget, To Appropriate New Revenue And Adjust Appropriations For The General Purpose Fund (Fund 1010) And Other Funds, In Order To Improve Public Safety, Including By Protecting Fire Department Services

REASON FOR SUPPLEMENTAL

Councilmembers Kaplan, Ramachandran, and Unger proposed budget amendments to the Fiscal Year (FY) 2024-2025 Adopted Midcycle Budget in the materials for the Council meeting on March 4, 2025. The purpose of this supplemental report is to provide additional information and recommendations from the Department of Transportation (OakDOT) for consideration at the Council meeting.

Table 1 summarizes Councilmembers Kaplan, Ramachandran, and Unger's proposed amendments to Measure BB Local Streets and Roads (Fund 2218), Measure BB Bicycle and Pedestrian (Fund 2219), and Vehicle Registration Funds (VRF, Fund 2215).

Table 1: Summary of Councilmembers Kaplan, Ramachandran, and Unger’s Proposed Expenditure Amendments to OakDOT Budget*

Fund	Dept.	Description	FY 2024-25 One-Time Proposal
2218	OakDOT	Roadway safety, Right of way maintenance, Abandoned auto removal	1,800,000
2218	DOT/OPW	Vehicle hazard and Speed safety and harm prevention	200,000
2218	OakDOT	Parking management, right of way management	500,000
2218	OakDOT	Street paving, complete streets	1,500,000
2219	OakDOT	Lakeshore bike project	900,000
VRF	OakDOT	Secure, durable, and clean bus shelters	800,000
VRF	OakDOT	Restore Intersection Safety Improvements Program Funding	745,982
VRF	OakDOT	Restore Traffic Signal Management Program Funding	625,000
1010	OakDOT	**	-1,600,000

*Exhibit 1 from File #[25-0500](#)

**Note from Exhibit: OakDOT expenses partially transferred to Fund 2218 (per this action & 12/16/24 \$500,000 authorization = OakDOT received \$2,300,000 in 2218)

The following section provides supplemental information and recommendations in response to the Councilmembers’ proposal.

Funding Eligibility

The proposed funds for re-programming—Measure BB Local Streets and Roads, Measure BB Bicycle and Pedestrian, and Vehicle Registration Funds—are local sales tax and vehicle registration fee revenues administered by the Alameda County Transportation Commission (ACTC) that are restricted through voter mandates to fund direct local streets and transportation improvements. The use of these funds is limited to capital improvements and maintenance or upgrades to local streets and roads to serve a transportation purpose.

The proposal to transfer \$1,600,000 of General Fund (1010) OakDOT expenditures to Measure BB raises questions, as these costs are not specified, and transfers involving restricted use funds require scrutiny to ensure funding eligibility and avoid future audit findings. To our knowledge, all eligible parking enforcement costs were already shifted from the General Fund into Measure BB to reduce deficits in the adopted Midcycle Budget for FY 2024-2025. This includes approximately \$3M of annual personnel expenditures covering the entirety of OakDOT’s abandoned auto removal efforts.

Staff Recommendation: OakDOT recommends further analysis and discussion with ACTC to determine funding eligibility for the proposed expenditure additions.

Fund Balance Availability

The Councilmembers' proposal identifies several one-time uses for available fund balances. While the proposed uses have merit, the amendments do not take into consideration the Department's overall funding needs. This includes the need to use all available fund balance to mitigate against the uncertain schedule for Measure U bond issuance, while still fulfilling local match commitments to existing grant-funded projects and funding existing personnel costs. Staff's analysis of OakDOT's operating and capital needs across various scenarios for the timing of the next bond sale has been incorporated into the Department's proposals as part of the FY 2025-2027 budget development process, and those proposals are under review by the Finance Department.

Staff Recommendation: OakDOT recommends that further budget amendments are deferred to incorporate consideration of the Department's FY 2025-2027 budget proposals. Note that this deferral will not impact the delivery or funding of the Lakeshore Avenue Separated Bike Lanes project, as this project is already fully funded through construction.

ACTION REQUESTED OF THE CITY COUNCIL

Adopt A Resolution Amending Resolution No. 90326 C.M.S. And Resolution 90585 C.M.S., Which Adopted And Amended The Fiscal Year 2024-2025 Midcycle Budget, To Appropriate New Revenue And Adjust Appropriations For The General Purpose Fund (Fund 1010) And Other Funds, In Order To Improve Public Safety, Including By Protecting Fire Department Services

For questions regarding this report, please contact Jamie Parks, Assistant Director, at jparks@oaklandca.gov.

Respectfully submitted,



[Josh Rowan \(Feb 27, 2025 15:57 PST\)](#)

Josh Rowan
Director, Department of Transportation

Prepared by:
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Jestin D. Johnson, City Administrator

Subject: SUPPLEMENTAL – Resolution Amending Resolution No. 90326 C.M.S. And
Resolution 90585 C.M.S.

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Attachments (1):

A: Alameda County Transportation Commission Implementation Guidelines for the Local Streets and Roads Program Funded through Measure B. Measure BB, and Vehicle Registration Fees

**Alameda County Transportation Commission
Implementation Guidelines for
the Local Streets and Roads Program Funded through
Measure B, Measure BB, and Vehicle Registration Fees**

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, Measure BB, and Vehicle Registration Fees (VRF) Direct Local Distribution funds. These guidelines are incorporated by reference in the Master Programs 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 Programs 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 Commission.

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 Master Program Funding Agreements for the November 2000 voter-approved Measure B Direct Local Distribution funds (formally known as “pass-through funds”). The Expenditure Plan allocates 22.34 percent of Measure B funds for Local Streets and Roads programs and projects. In 2012, the Master Programs Funding Agreements were updated to include the voter approved Measure F - Vehicle Registration Fee (VRF) program. The VRF includes 60 percent of net revenues for a Local Streets and Roads Program. In November 2014, voters approved the 2014 Transportation Expenditure Plan, Measure BB, which allocates 20.00 percent of funds for a Local Streets and Roads program. New Master Programs Funding Agreements were subsequently developed to incorporate Measure BB funds.

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.

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- 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 Programs 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 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. **Direct Local Distribution 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).
- L. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- M. **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.
- N. **Equipment and new vehicles:** Purchase or lease of vehicles and equipment for service improvements, such as information dissemination, fare collection, etc.
- O. **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.

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- P. **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.
- Q. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- R. **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.
- S. **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.
- 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:
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 \$12 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, Measure BB, and VRF Direct Local Distribution funds.

1. Measure B and Measure BB Local Streets and Roads Direct Local Distribution (DLD) Funds

- a. *General:* Alameda CTC distributes Measure B and Measure BB Local Streets and Roads DLD 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 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 DLD funds constitute 100 percent of the total Measure B and Measure BB 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 Programs Funding Agreement) of the local transportation DLD 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. DLD funds must be placed in separate accounts for the Measure B, Measure BB, and VRF programs.

- b. *Eligible Uses:* The Measure B and Measure BB Local Streets and Roads DLD 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

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- 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)
 - 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 DLD 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 and Measure BB Local Streets and Roads DLD funds must receive governing board approval prior to the jurisdiction expending the DLD 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
- 4) A resolution, such as to submit a grant application

2. VRF Local Streets and Roads DLD Funds

- a. *General:* Alameda CTC distributes VRF Local Streets and Roads DLD 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 DLD 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 DLD 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 DLD funds within the program. These funds are allocated on a monthly basis directly to each city and the County. DLD funds must be placed in separate accounts for the Measure B, Measure BB, and VRF programs.

- b. *Eligible Uses:* The VRF Local Streets and Roads DLD 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
- 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 DLD 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.
 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, Measure BB, 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 Direct Local Distribution Funds

- A. The Alameda CTC may consider advancing future year DLD 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 Administration 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 Commission.