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AGENDA REPORT

TO: CITY ADMINISTRATOR
DEANNA J. SANATNA

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Master Programs Funding Agreement

DATE: February 29, 2012

City Administrator
Approval

Date

3/15/12

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends Council adopt Adoption of a Resolution Approving the 2012-2022 Master Programs Funding Agreement Between the Alameda County Transportation Commission and the City of Oakland Governing Measure B Transportation Sales Tax and Measure F Vehicle Registration Fee Funds.

EXECUTIVE SUMMARY

The current funding agreements between the Alameda County Transportation Commission (Alameda CTC) and various Alameda County jurisdictions expire in mid 2012. These agreements govern the expenditure of Measure B Transportation Sales Tax funds for local streets and roads, bicycle and pedestrian, and paratransit programs. Alameda CTC has developed a new Master Programs Funding Agreement (MPFA) that continues to govern Measure B funds in all program areas, as well as the new Vehicle Registration Fee (VRF) funds approved by voters in November 2010. This Agreement will be in place for ten years, through April, 2022. Execution of this Agreement will allow continued distribution of Measure B program funds and will initiate distribution of VRF funds to the City of Oakland.

OUTCOME

Execution of the Master Programs Funding Agreement prior to March 31, 2012, will allow an uninterrupted flow of transportation funds to the City from Measure B and an increase in funding, as a result of voter approval of the VRF and its associated funding. If the agreement cannot be executed by that date, funds will not be lost, but the receipt of funds will be delayed until signatures are complete. In FY 12/13 this funding is estimated to total approximately 11.9 million dollars.

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BACKGROUND/LEGISLATIVE HISTORY

Alameda CTC staff developed a 10-year Master Programs Funding Agreement (*Attachment "A"*) and associated Implementation Guidelines that address each fund source and specify definitions, eligibility, and fund uses. The Commission may update the Implementation Guidelines on a more frequent basis than the MPFA to respond to changing transportation needs over the next 10-year period.

Alameda CTC has brought the Implementation Guidelines before appropriate Alameda CTC Committees that provide oversight on certain funds. On December 16, 2011 the Alameda County Transportation Commission adopted the final MPFA and Implementation Guidelines.

The following describes the Measure B funds and VRF funds incorporated into the MPFA:

Measure B Funds: Voters approved Measure B in November 2000, establishing a 20-year ½ cent sales tax for transportation funding in Alameda County. Collection of the sales tax began on April 1, 2002. Agreements were executed for transit agencies, Alameda County, and local jurisdictions to receive Measure B "pass-through funds" for four types of programs: bicycle and pedestrian, local streets and roads, mass transit, and paratransit. Oakland receives pass-through funds for all of these sources except mass transit. The Alameda County Transportation Improvement Authority (ACTIA) put agreements in place with these agencies/jurisdictions shortly after the measure began in 2002. Alameda CTC is the successor agency to ACTIA.

Oakland signed a Master Funding Agreement governing the Local Streets and Roads Program and Bicycle and Pedestrian Program pass-throughs on April 22, 2002. A separate agreement covering paratransit pass-throughs was signed in May of 2003 (for four years) and again in June of 2007 (for five years). These agreements expire in mid-2012, which is the exact 10-year midpoint of the current Measure B 2000 Sales Tax.

Vehicle Registration Fee: Voters approved Measure F on November 2, 2010. This measure established the Alameda County Vehicle Registration Fee (VRF) Program. The fee will generate about \$11 million (countywide) per year through a \$10 per year vehicle registration fee. As the congestion management agency for Alameda County, the Alameda CTC will distribute these funds to four programs:

- Local streets and roads (60 percent)
- Transit (25 percent)
- Local transportation technology (10 percent)
- Bicycle and pedestrian projects (5 percent)

Of these sources, the local streets and roads funds will be passed through directly to jurisdictions. Oakland will be eligible to apply for grants from the local transportation technology and bicycle and pedestrian projects funds.

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Master Programs Funding Agreements

The Master Programs Funding Agreements specify the types of funds that the agencies/jurisdictions can receive from Alameda CTC, including Measure B and VRF pass-through and grant funds. A single Master Programs Funding Agreement captures all the following types of distributions:

- Bicycle and Pedestrian Safety: Measure B pass-through funds, grants, and VRF funds
- Local Streets and Roads: Measure B pass-through funds and VRF pass-through funds
- Mass Transit: Measure B pass-through funds, grants, and VRF grant funds, which could apply to paratransit services as well
- Paratransit: Measure B pass-through funds, grants, and stabilization funds, including base program and minimal service level funds, and VRF transit funds
- Transportation Technology Funds: VRF funds
- Transit Center Development Funds: Measure B funds

Implementation Guidelines

The Implementation Guidelines for each program specify the requirements that local jurisdictions must follow in their use of Measure B and VRF funds. The guidelines are incorporated by reference in the Master Programs Funding Agreements and were developed in this manner to allow the Commission to update them more frequently than the Master Programs Funding Agreements to address policy, legislative, or other issues as they arise over time. The intent of the implementation guidelines is to provide guidance on eligible uses and expenditures of each fund type, define terms in the Master Programs Funding Agreements, and guide specific fund implementation. The implementation guidelines include the following:

- Purpose
- Definition of terms
- Fund Allocation methods and eligibility, including eligible and non-eligible costs
- Specific policies related to specific fund sources
- Advancement of funds opportunities
- Implementation Guidelines adoption

The new MPFA must be fully executed by all recipient jurisdictions prior to March 31, 2012, to ensure that current Measure B funds continue to flow and the new VRF funds can be allocated per the MPFA. If the agreement cannot be executed by that date, funds will not be lost, but the receipt of funds will be delayed until signatures are complete.

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ANALYSIS

The Master Program Funding Agreement and the Implementation Guidelines are more detailed than the previous Agreements about the use of Measure B funds, which expire in 2012. As in the existing agreement, the MPFA specifies that funds are to be used solely for transportation purposes only as defined by the authorizing ballot measure. However, the proposed MPFA also specifies several conditions to ensure that funds are spent expeditiously and transparently. These new conditions will require additional efforts on the part of the City of Oakland to ensure that we meet specified performance and fund use requirements. These include:

- Timely Use of funds – unless placed into a specific reserve fund (capital, operating, or undesignated), all funds are to be spent within one year of receipt
- Capital Reserves – funds may be banked for up to three years for specific capital projects, with a one year discretionary extension by the Alameda CTC Board
- Operational Reserves – up to 50% of funds may be devoted to a revolving operational reserve fund
- Undesignated Reserves – up to 10% of funds may be placed in an undesignated reserve to account for unanticipated issues such as grant matching funds, project contingencies, studies, and fluctuation in Measure B collections
- Rescission of funds – if funds are not expended according to timely use of funds policies, Alameda CTC may take funds back and redistribute them to other jurisdictions
- Staff Cost Limitations – funds may be used only for direct costs associated with delivery of projects and programs. Indirect costs are not allowable unless the agency submits an independently audited Indirect Cost Allocation Plan

These additional requirements will not substantially impact the way Oakland currently spends Measure B pass-through funds, but it will require additional efforts to specifically budget and report on individual projects, programs, and reserve funds in the annual compliance reporting process. However, staff believes these are generally prudent management policies.

There are two additional deadlines associated with the MPFA. The Local Streets and Roads and Bicycle and Pedestrian Implementation Plan Guidelines require action towards development of a Complete Streets Policy by June 30, 2013. They further specify the update, affirmation, or adoption of a Complete Streets Plan, Bicycle Plan or Pedestrian Plan by Dec 31, 2015, and every 5 years thereafter. Oakland is already on track to meet these deadlines.

Estimated annual pass-through funding for Oakland (in FY 12/13) in each of the programs covered by the MPFA is as follows:

- | | |
|---|---------------|
| • Measure B - Local Streets and Roads (Fund 2211) | \$8.5 million |
| • Measure B – Bicycle and Pedestrian (Fund 2212) | \$1.0 million |
| • Measure B - Paratransit (Fund 2213) | \$0.9 million |

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- Vehicle Registration Fee \$1.5 million

PUBLIC OUTREACH/INTEREST

Alameda CTC formulated the Master Programs Funding Agreement and Implementation Guidelines with the close involvement of the Alameda CTC Citizen Watchdog Committee and several advisory committees, including the Paratransit Advisory and Planning Committee, the Bicycle and Pedestrian Advisory Committee, and the Transportation Advisory Committee. Oakland staff participates in all of these committees. All committee meetings and Alameda CTC Board Meetings are publicly noticed meetings with opportunities for citizen participation. Given the technical nature of these agreements, there has been little broad public involvement beyond the membership of the committees.

COORDINATION

City of Oakland departments affected by this funding agreement were informed during formation and adoption by the Alameda CTC Board, in particular by participating in advisory committees formulating the MPFA and Implementation Guidelines. These include the Public Works Agency generally, the Bicycle and Pedestrian program in PWA, and the Department of Human Services (Paratransit). In addition, the City Attorney reviewed the draft guidelines in December, 2011, and draft agreement in January 2012.

COST SUMMARY/IMPLICATIONS

The MPFA will create additional costs in project and program budgeting and tracking above and beyond what is currently required by Alameda CTC under the existing Measure B Agreement, particularly in the first year when adjustments will be required to current practices. The costs of compliance with the MPFA are an allowable cost under the agreement.

The MPFA will increase the risk that Measure B pass-through funds could be retrieved by Alameda CTC for redistribution to other jurisdictions if new timely use-of-funds requirements are not met. Staff believes the new rules are reasonable and achievable, but may require changes in the way projects are budgeted, such that design and planning costs are appropriated before capital construction costs.

SUSTAINABLE OPPORTUNITIES

Economic:

Measure B and VRF funds provide a critical source of funding for transportation projects and programs in Oakland. While these funds fall short of the actual need, they do allow for the

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repaving of Oakland streets and other street projects, implementation of the Bicycle and Pedestrian Master Plans, and augmentation of paratransit operations for disabled and senior residents of the City. Jobs will be created or maintained in construction, planning and engineering, and transportation services provision that will be open to qualified Oakland residents.

Environmental:

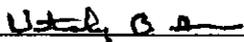
A large portion of Measure B funds are spent to improve bicycle, pedestrian and transit access in the City of Oakland, encouraging use of alternate transport modes to the single-occupant vehicle, even beyond those funds that are designated specifically for Bicycle and Pedestrian and Paratransit use. Strategic investment has the potential to decrease particulate and greenhouse gas pollution.

Social Equity:

Measure B funds are spent on projects throughout the City of Oakland, and benefit all residents who walk, bike, ride transit, or drive automobiles. Investments are targeted to wherever the greatest multi-modal need exists, and where there is the greatest potential for improvement.

For questions regarding this report, please contact IRIS STARR, INFRASTRUCTURE PLANS AND PROGRAMMING DIVISION MANAGER, at 510-238-6229.

Respectfully submitted,


VITALY B. TROYAN, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, PE, Assistant Director

Prepared by:
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Infrastructure Plans and Programming Division, PWA

Attachment A: Master Programs Funding Agreement and Guidelines

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**Master Programs Funding Agreement between the
Alameda County Transportation Commission
and the City of Oakland**

Contract Number A11-0078

This Master Programs Funding Agreement (“AGREEMENT”) is made this ____ day of _____, 2012, by and between the Alameda County Transportation Commission (“Alameda CTC”) and the City of Oakland (“RECIPIENT”).

RECITALS

A. On November 7, 2000, the voters of Alameda County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq., approved the reauthorization of Measure B, thereby authorizing Alameda County Transportation Improvement Authority (“ACTIA”) to administer the proceeds from a continued one-half cent transaction and use tax (“Measure B”).

B. The duration of the tax will be 20 years from the initial year of collection, which began April 1, 2002, with said tax to terminate/expire on March 31, 2022. The tax proceeds will be used to pay for the programs and projects outlined in Alameda County’s 20-Year Transportation Expenditure Plan (the “Measure B Expenditure Plan”), as it may be amended.

C. The Measure B Expenditure Plan authorizes the issuance of bonds to expedite delivery of transportation projects and programs. Costs associated with bonding will be borne only by the capital projects included in the Measure B Expenditure Plan and by any programs included in the Measure B Expenditure Plan that utilize the bond proceeds.

D. On November 2, 2010, the voters of Alameda County approved Measure F, the Vehicle Registration Fee (“VRF”) Program, pursuant to Section 65089.20 of the Government

Code, thereby authorizing the Alameda County Congestion Management Agency (“ACCMA”) to administer the proceeds from a \$10 per year vehicle registration fee on each annual motor-vehicle registration or renewal of registration in Alameda County, starting in May 2011, six months following approval of Measure F. Vehicles subject to the VRF include all motorized vehicles, including passenger cars, light-duty trucks, medium-duty trucks, heavy-duty trucks, buses of all sizes, motorcycles, and motorized camper homes, unless vehicles are expressly exempted from the payment of the VRF.

E. Funds raised by the VRF will be used exclusively for local transportation purposes in Alameda County that have a relationship or benefit to the owners of motor vehicles paying the VRF, including projects and programs identified in the expenditure plan approved by the voters as part of Measure F (the “VRF Expenditure Plan”).

F. On June 24, 2010, ACTIA and ACCMA took the final actions to create Alameda CTC, which has assumed the responsibilities of ACTIA and ACCMA, including duties related to Measure B and the VRF.

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

ARTICLE 1:FUNDING ALLOCATIONS

A. This AGREEMENT authorizes the Alameda CTC to allocate funds derived from both Measure B and the VRF as described in their respective voter-approved expenditure plans and as summarized and described below for different fund types. All fund distributions pursuant to this AGREEMENT shall be effective as of April 1, 2012.

Fund Type	Allocation Method
Bicycle and Pedestrian Safety	Measure B: 75% Pass-through Funds
	Measure B: 25% Grant Program
	VRF Funds: 100% Grant Program
Local Streets and Roads	Measure B: 100% Pass-through Funds
	VRF Funds: 100% Pass-through funds
Local Transportation Technology	VRF Funds: 100% Grant Program
Mass Transit	Measure B: 100% Pass-through Funds
	Measure B Express Bus: 100% Grant Program
	VRF Funds: 100% Grant Program; recipients may also use these funds for paratransit services
Paratransit	Measure B: 100% Pass-through Funds
	Measure B Gap Grant: 100% Grant Program
Transit Center Development	Measure B: 100% Grant Program

1. Bicycle and Pedestrian Safety:

a. Measure B bicycle and pedestrian safety pass-through funds within each geographic subarea are distributed pursuant to a formula weighted 100 percent by the population of the jurisdiction within the subarea. The Measure B Expenditure Plan designates 75 percent of Measure B funds as local pass-through funds. Each city and Alameda County shall receive up to their proportional share of the 75 percent of the funds based on population over the life of the Measure. Allocations may change in the future based on changes in population figures. Recipients agree to the formula distributions herein and are not required to enter into a separate agreement with Alameda CTC prior to receipt of such funds.

b. Measure B and VRF bicycle and pedestrian safety grant funds are awarded on a discretionary basis through competitive grant programs. Any recipient of such a grant award shall enter into a separate agreement with Alameda CTC in conformance with the Bicycle and Pedestrian Safety Program Implementation Guidelines prior to receipt of such funds.

c. The Bicycle and Pedestrian Safety Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

2. Local Streets and Roads:

a. Measure B local streets and roads pass-through funds within the geographic subarea are distributed pursuant to a formula weighted 50 percent by the population of the jurisdiction within the subarea and 50 percent by the number of road miles within the subarea. Allocations may change in the future based on changes in population and road mile figures. Recipients agree to the formula distributions herein and are not required to enter into a separate agreement with Alameda CTC prior to receipt of such funds.

b. 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.

c. The Local Streets and Roads Program Implementation Guidelines provide, program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

3. **Local Transportation Technology:**

a. VRF local transportation technology grant funds are awarded on a discretionary basis through a competitive grant program. Any recipient of such a grant award shall enter into a separate agreement with Alameda CTC prior to receipt of such funds.

b. The VRF Local Transportation Technology Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

4. **Mass Transit:**

a. Measure B pass-through funds are allocated to the transit operators based on a set of percentages of net revenues generated by the Measure B sales tax. These percentages are attached hereto as Exhibit A and by this reference made a part of this AGREEMENT. Allocations may change in the future based on transit service changes. Recipients are not required to enter into a separate agreement with Alameda CTC prior to receipt of such funds.

b. Measure B and VRF mass transit grant funds are awarded on a discretionary basis through competitive grant programs. Any recipient of such a grant award shall enter into a separate agreement with Alameda CTC in conformance with the Mass Transit Program Implementation Guidelines prior to receipt of such funds.

c. The Mass Transit Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

5. Paratransit:

a. Measure B pass-through funds for non-mandated paratransit services are distributed to each subarea of the County pursuant to the figures set forth in the Measure B Expenditure Plan, and mandated paratransit services are distributed by percentages set forth in the Measure B Expenditure Plan, attached hereto as Exhibit B and by this reference made a part of this AGREEMENT. Based on the plans prepared by the cities and the transit operators, and based on the provisions of the Measure B Expenditure Plan, the Paratransit Advisory and Planning Committee ("PAPCO") annually recommends allocation factors for distribution of funds for non-mandated paratransit services within Alameda County, subject to the review and approval of the Alameda CTC Board. Recipients are not required to enter into a separate agreement with Alameda CTC prior to receipt of such funds.

b. Measure B paratransit gap grant funds, including stabilization funds, and base program and minimum service level funds, are awarded on a discretionary basis through competitive grant programs. Any recipient of such a grant award shall enter into a separate agreement with Alameda CTC in conformance with the Paratransit Program Implementation Guidelines prior to receipt of such funds.

c. The Paratransit Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

6. Transit Center Development funds are allocated on a grant basis. Any recipient of such a grant award shall enter into a separate agreement with Alameda CTC in conformance with the Transit Center Development Implementation Guidelines prior to receipt of such funds. The Transit Center Development Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

ARTICLE 2: PAYMENTS AND EXPENDITURES

A. Alameda CTC's Duties and Obligations

1. Within five working days of actual receipt of the monthly Measure B sales tax revenues and VRF revenues from the State Board of Equalization, Alameda CTC shall remit to the RECIPIENT its designated amount of pass-through funds disbursed on a monthly basis by a set formula for distribution.

2. Alameda CTC shall annually update the Measure B sales tax revenue and VRF revenue projections and the resulting funds allocation formulas to reflect the most current population using the California Department of Finance's annual population estimates (Report E-1 published in May); maintained road mileage from the Department of Transportation; and the number of registered vehicles in each Alameda County subarea, using registered vehicle data provided by the California Department of Motor Vehicles, as it is made available. Alameda CTC shall use the updated Measure B and VRF program allocation formulas in the allocations beginning July 1 of each new fiscal year, which is from July 1 to June 30 in the State of California.

3. Alameda CTC shall provide an annual projection of Measure B and VRF revenues passed through to each RECIPIENT by each type of fund at the beginning of each calendar year for the subsequent fiscal year.

4. Alameda CTC shall monthly report the amount of Measure B and VRF revenues passed through to RECIPIENT by each fund type for the fiscal year and for the total program to date.

5. Alameda CTC shall provide for an independent annual audit of its revenues and expenditures and also of its calculation of the allocation formula for distributing Measure B and VRF revenues to various RECIPIENTS and render an annual report to the Alameda CTC Board within 180 days following the close of the fiscal year. Alameda CTC shall render an annual report on Measure B funds to the Citizens Watchdog Committee as soon thereafter as practical.

6. Alameda CTC shall provide timely notice to RECIPIENT prior to conducting an audit of any expenditures made by RECIPIENT to determine whether such expenditures are in compliance with this AGREEMENT, the Measure B Expenditure Plan, the VRF Expenditure Plan, Measure B, or the VRF ballot measure.

B. RECIPIENT'S Duties and Obligations

1. RECIPIENT shall expend all Measure B and VRF funds distributed to the RECIPIENT in compliance with the applicable guidelines and Plan(s), including the Implementation Guidelines, as they may be adopted or amended by Alameda CTC from time to time.

2. RECIPIENT shall set up and maintain an appropriate system of accounts to keep separate accounting and reporting for each type of Measure B and VRF fund to be received. RECIPIENT must account separately for Measure B and VRF funds, and accrue any interest from each fund source into each separate fund account. The accounting system shall provide adequate internal controls and audit trails to facilitate an annual compliance audit for each fund type and the respective usage and application of said funds. Alameda CTC and its representatives, agents and nominees shall have the absolute right at any reasonable time to inspect and copy any accounting records related to such funds, except to the extent specifically prohibited by applicable law.

3. RECIPIENT hereby agrees to and accepts the formulas used in the allocation of Measure B and VRF revenues as reflected in the ballot measures, the Measure B Expenditure Plan, and the VRF Expenditure Plan, and agrees to accept and utilize the California Department of Finance Estimates of Population figures (Report E-1, updated each May) for California cities and counties and registered vehicle data provided by the California Department of Motor Vehicles for the annual update of the allocation formulas to begin in each new fiscal year.

ARTICLE 3: POLICIES ON USE OF FUNDS

A. Timely Use of Funds Policy

1. Except for those funds properly placed into a reserve fund pursuant to Section B below, all Measure B and VRF funds received by RECIPIENT shall be spent expeditiously, and no unexpended funds beyond those included in reserves pursuant to Section B

below are allowed, unless a written request is submitted to the Alameda CTC and approved by the Board.

2. Any funds which are not spent in a timely manner in compliance with the above Timely Use of Funds Policy, unless such funds are properly placed in a reserve permitted by this AGREEMENT, shall be subject to rescission as set forth in Section C below. Further, any funds placed into a reserve fund which are not spent in a timely manner in compliance with the policies applicable to such reserve fund, shall be subject to rescission as set forth in Section C below.

B. **Reserve Fund Policy:** RECIPIENT may reserve funds for specified periods of time, as defined in each reserve program, which Alameda CTC will monitor through the annual compliance audit and reporting process described in Article 4. RECIPIENT may establish the following separate types of reserve funds:

1. **Capital Fund Reserve:** RECIPIENT may establish a specific capital fund reserve to fund specific large capital project(s) that could otherwise not be funded with a single year's worth of Measure B or VRF pass-through funds. If a capital fund reserve is established by RECIPIENT, it must be done as part of the Annual Program Compliance Reporting process as defined in Article 4.A.3.

a. RECIPIENT may collect capital funds during not more than three fiscal years, and shall expend all reserve funds prior to the end of the third fiscal year immediately following the fiscal year during which the reserve was established (e.g., if a reserve is established at any time during fiscal year 2012-2013 (FY 12-13), RECIPIENT may collect

reserve funds during some or all of FY 12-13, FY 13-14 and FY 14-15, and must spend the reserve funds prior to the end of FY 15-16.

b. RECIPIENT shall report implementation schedules and funding plans for each proposed project to be funded from the reserve in RECIPIENT's annual program compliance report.

c. RECIPIENT may seek a single one-year extension for a given reserve fund if RECIPIENT demonstrates that unforeseen and extraordinary circumstances have occurred that would justify the extension. RECIPIENT shall submit a request for such an extension in writing to Alameda CTC's executive director. The Alameda CTC Board, in its sole discretion, will make a determination as to whether to approve or deny the extension request and will notify RECIPIENT of its action in writing.

2. **Operations Fund Reserve:** RECIPIENT may establish and maintain a specific reserve to address operational issues, including fluctuations in revenues, and to help maintain transportation operations. The total amount retained in such fund may not exceed 50 percent of anticipated annual combined revenues from Measure B and VRF funds. This fund may be a revolving fund and is not subject to an expenditure timeframe. If an operations fund reserve is established by RECIPIENT, it must be done as part of the Annual Program Compliance Reporting process as defined in Article 4.A.3.

3. **Undesignated Fund Reserve:** RECIPIENT may establish and maintain a specific reserve for transportation needs over a fiscal year, such as matching funds for grants, project development work, studies for transportation purposes, or contingency funds for a project or program. This fund may not contain more than 10 percent of annual pass-through revenues,

unless an exception is requested in writing and approved by the Alameda CTC Board. If an undesignated fund reserve is established by RECIPIENT, it must be done as part of the Annual Program Compliance Reporting process as defined in Article 4.A.3.

a. RECIPIENT shall report the range of potential uses for the reserve funds in its annual audit and compliance report.

C. **Rescission of Funds Policy:** If RECIPIENT does not meet the timeliness requirements set forth in Sections A and B, Alameda CTC may determine that RECIPIENT does not need the unspent funds. In such case, unless the RECIPIENT requests and Alameda CTC approves an extension to the applicable deadline for the Capital Fund Reserve as described in Article 3, B, 1, RECIPIENT must return unspent funds and all interest earned thereon to Alameda CTC. All such funds returned to Alameda CTC shall be placed into an account for reallocation to the same programmatic type for transportation improvements in the county.

D. **Other Expenditure Restrictions:**

1. **Transportation Purposes Only:** RECIPIENT shall use all Measure B and VRF funds solely for transportation purposes as defined by the authorizing ballot measures. Any jurisdiction that violates this provision must fully reimburse all misspent funds, including all interest earned thereon.

2. **Non-Substitution of Funds:** RECIPIENT shall use Measure B, pursuant to PUC 180000 et seq., and VRF funds to supplement and not replace existing property taxes used for transportation purposes.

3. **Fund Exchange:** Any fund exchanges made using Measure B or VRF funds must be made for transportation purposes. Alameda CTC will consider exchange proposals on a case-by-case basis.

4. **Staff Cost Limitations:** Direct costs associated with the delivery of programs and projects associated with Measure B and VRF programs, including direct staff costs and consultant costs, are eligible uses of Measure B and VRF funds. Alameda CTC does not allow indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.

ARTICLE 4: REPORTING REQUIREMENTS

A. RECIPIENT shall comply with each of the reporting requirements set forth in this Article 4. If RECIPIENT fails to comply with one or more of these requirements, Alameda CTC may withhold payment of further Measure B and/or VRF funds to RECIPIENT until full compliance is achieved.

1. RECIPIENT shall follow all Implementation Guidelines established for each fund source, as the same may be changed from time to time by the Alameda CTC. Such Implementation Guidelines are intended to provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details.

2. RECIPIENT shall submit to Alameda CTC, on an annual basis and at the RECIPIENT's expense, an independent compliance audit of the funds received and used, including plans and reports of expenditures. RECIPIENT shall complete, certify, and provide the annual compliance audit to Alameda CTC within 180 days following the close of each fiscal year.

3. RECIPIENT shall, by December 31 of each year, submit to Alameda CTC, at the RECIPIENT's expense, a compliance report on programs and projects on which RECIPIENT expended Measure B and VRF funds. In such report, RECIPIENT shall state how the funds were used, the benefits derived from the funded programs and projects, and establishment of fund reserves and amounts remaining in reserves, and anticipated program and project expenditures. If RECIPIENT's expenditures in a fiscal year are less than the amount received during such year, RECIPIENT shall explain why revenues exceeded expenditures and RECIPIENT's plan for the unexpended funds.

4. To be eligible for receipt of Local Streets and Roads funds, RECIPIENT shall provide Alameda CTC with the certified number of maintained road miles within RECIPIENT's jurisdiction, which shall be consistent with the miles reported to state and federal agencies. Road miles shall be used in the updated Measure B sales tax revenue allocation formula for distributing Measure B funds and the new mileage shall be reflected in the distributions that start on July 1 of each new fiscal year. RECIPIENT shall provide Alameda CTC with the annual certified number of maintained road miles each fiscal year even if the number of miles for the fiscal year did not change.

5. RECIPIENT shall install or mount signage adjacent to VRF and Measure B funded construction projects and on vehicles funded with VRF and Measure B funds (e.g., RECIPIENT and Alameda CTC logos; "Your Transportation Tax Dollars Help Fund the Operation of This Vehicle!") where practical, so Alameda County taxpayers are informed as to how RECIPIENT is using Measure B and/or VRF funds. RECIPIENT shall include a description of signage and number of signs posted in the annual compliance report submitted to Alameda CTC.

6. RECIPIENT shall provide current and accurate information on RECIPIENT's website, to inform the public on how RECIPIENT is using Measure B and/or VRF funds, and shall also provide a link to Alameda CTC's website.

7. RECIPIENT shall, at least annually, publish an article either in RECIPIENT newsletter or in Alameda CTC's newsletter, highlighting a project or program in which RECIPIENT has used Measure B and/or VRF funds.

8. RECIPIENT shall actively participate in a Public Awareness Program, in partnership with Alameda CTC and/or its community advisory committees, as a means of ensuring that the public has access to and has the ability to know which projects and programs are funded through Measure B and/or the VRF.

9. RECIPIENT shall make its administrative officer or designated staff available on request from Alameda CTC or the Citizens Watchdog Committee to render a report or answer any and all inquiries in regard to RECIPIENT's receipt, usage, and compliance audit findings of its funds before Alameda CTC's governing board and/or the Citizens Watchdog Committee or community advisory committees, as applicable.

10. RECIPIENT agrees that Alameda CTC may review and/or evaluate the project(s) or program(s) funded pursuant to this AGREEMENT. This may include visits by representatives, agents or nominees of Alameda CTC to observe RECIPIENT's project or program operations, to review project or program data and financial records, and to discuss the project with RECIPIENT's staff or governing board.

ARTICLE 5: OTHER PROVISIONS

A. Geographic Breakdown: In all cases:

1. North Area refers to the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont.

2. Central Area includes the Cities of Hayward and San Leandro, and the unincorporated area of Castro Valley, as well as other unincorporated lands governed by Alameda County in the Central Area.

3. South Area includes the Cities of Fremont, Newark, and Union City.

4. East Area includes the Cities of Livermore, Dublin, and Pleasanton, and all unincorporated lands governed by Alameda County in the East Area.

B. Indemnity by RECIPIENT. Neither Alameda CTC, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure B or VRF funds distributed to RECIPIENT pursuant to this AGREEMENT. It is also understood and agreed, pursuant to Government Code Section 895.4, RECIPIENT shall fully defend, indemnify and hold harmless Alameda CTC, its governing body, and all its officers, agents, and employees, from any liability imposed on Alameda CTC for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure B or VRF funds distributed to RECIPIENT pursuant to this AGREEMENT.

C. Indemnity by Alameda CTC. Neither RECIPIENT, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by Alameda CTC under or in connection with any work, authority or jurisdiction delegated to Alameda CTC under this AGREEMENT. It is also understood and agreed, pursuant to Government Code Section 895.4, Alameda CTC shall fully defend, indemnify, and hold harmless RECIPIENT, and its governing body, elected officials, all its officers, agents, and employees from any liability imposed on RECIPIENT for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by Alameda CTC under or in connection with any work, authority or jurisdiction delegated to Alameda CTC under this AGREEMENT.

D. Jurisdiction and Venue: The laws of the State of California will govern the validity of this AGREEMENT, its interpretation and performance, and any other claims related to it. All legal actions arising out of this AGREEMENT shall be brought in a court of competent jurisdiction in Alameda County, California and the parties hereto hereby waive inconvenience of forum as an objection or defense to such venue.

E. Attorneys' Fees: Should it become necessary to enforce the terms of this AGREEMENT, the prevailing party shall be entitled to recover reasonable expenses and attorneys' fees from the other party.

F. Term: The term of this AGREEMENT shall be from April 1, 2012 to June 30, 2022.

G. Severability: If any provision of this AGREEMENT is found by a court of competent jurisdiction or, if applicable, an arbitrator, to be unenforceable, such provision shall

not affect the other provisions of the AGREEMENT, but such unenforceable provisions shall be deemed modified to the extent necessary to render it enforceable, preserving to the fullest extent permissible the intent of the parties set forth in this AGREEMENT.

H. Modification: This AGREEMENT, and its Exhibits, as well as the referenced Implementation Guidelines and grant program guidelines, constitutes the entire AGREEMENT, supersedes all prior written or oral understandings regarding Measure B and VRF pass-through and program funds (but not project funding agreements), including but not limited to ACTIA Measure B pass-through funding agreement and ACTIA Measure B paratransit funding agreement, which former agreements are terminated as of the effective date hereof. This AGREEMENT may only be changed by a written amendment executed by both parties. Notwithstanding the foregoing, the Implementation Guidelines and grant program guidelines may be changed from time to time by the Alameda CTC.

EXHIBITS

The following Exhibits are hereby made part of this AGREEMENT:

Exhibit A: Mass Transit Fund Distribution by Agency

Exhibit B: Paratransit Services Fund Distribution

EXHIBIT A

MEASURE B MASS TRANSIT FUND DISTRIBUTION BY AGENCY

Alameda CTC distributes Measure B mass transit pass-through funds based on the distribution percentages for net Measure B revenues specified in the Measure B Expenditure Plan, as shown below.

Agency		Percentage of Net Revenues
AC Transit	North County	9.48%
	Central County	4.74%
	South County	1.61%
AC Transit Welfare to Work	North County	1.24%
AC Transit Welfare to Work	Central County	0.22%
LAVTA	East County	0.69%
Union City Transit	South County	0.34%
ACE	East County	1.05%
ACE	South County	1.07%
WETA Ferry Service	Alameda County	0.78%
Express Bus Service Grant		0.70%

Countywide Local and Feeder Bus Service: Provides funding for countywide local and feeder bus service in every region of the county to link neighborhoods and commuters to BART, rail, and express bus connections throughout the county. Welfare to Work programs dedicate 1.46 percent of overall net sales tax receipts to enhancing transportation opportunities for persons making the transition from welfare to work.

Other Mass Transit Programs: Provides funding to Water Emergency Transportation Authority (WETA) Transbay Ferry Service to expand transbay ferry service from Alameda. Provides funding to Altamont Commuter Express for capital and operating costs for operations in South and East Alameda County.

Express Bus Service Grant Program: Provides funding for public transit operators to provide express bus services within Alameda County. Refer to the Express Bus Service Grant Program Guidelines for eligibility requirements.

Transit Operations: Provides funding to transit operators for maintenance of transit services, restoration of service cuts, expansion of transit services, and passenger safety and security. The transit operators will determine the priorities for these funds through public processes and will submit an annual audit to Alameda CTC.

AC Transit agrees to allocate 1.46 percent of overall net sales tax receipts to enhancing transportation opportunities for persons making the transition from welfare to work. These

"welfare to work" funds can be used by AC Transit for service restoration and expansion or implementation of improved bus service to facilitate travel to and from work. AC Transit will prioritize the restoration and development of new services to meet the employment-related transit needs of low-income residents in northern and central Alameda County.

Additionally, these funds may be used, at the determination of AC Transit, to provide subsidies of regular bus fares for individuals living in northern and central Alameda County who are transferring from welfare to work as well as those who are economically disadvantaged. In the event that sufficient funds are otherwise available to AC Transit to meet these needs then "welfare to work" funds can be used for other general passenger service purposes in northern and central Alameda County.

AC Transit will work together with and actively seek input from bus riders, business leaders, mayors and other elected officials in San Leandro, Hayward, and the unincorporated areas in Central Alameda County to ensure that the additional transit funds in Central County are used for bus improvements such as night, weekend, and more frequent service, connections to residential growth areas, and access to major employment centers, including enhancement of east-west corridors.

AC Transit will continue to provide transit service similar to the Department of Labor-funded shuttle to and from job sites in East and West Oakland, as needed. AC Transit, the County, the City of Oakland, the Port of Oakland and other entities will look for additional money from outside sources to fund the service. If needed, a portion of the proceeds from the reauthorization of Measure B may be used.

Refer to Mass Transit Program Implementation Guidelines for program and project eligibility fund usage, and requirements.

EXHIBIT B

PARATRANSIT SERVICES FUND DISTRIBUTION

Alameda CTC distributes Measure B paratransit funds to County subareas/planning areas and to AC Transit and BART based on the distribution percentages in the Measure B Expenditure Plan, as shown below. Distributions to jurisdictions for non-mandated services within each subarea are based on allocation formulas recommended by PAPCO and approved by the Alameda CTC Board.

Area/City	Area Percentage (A)
Nbn-Mandated – North County	1.24%
Alameda	
Albany	
Berkeley	
Emeryville	
Oakland	
Ndn-Mandated – Central County	0.88%
Hayward	
San Leandro	
Non-Mandated – East County	0.21%
LAVTA	
Pleasanton	
South County	1.06%
Fremont	
Newark	
Union City	
ADA Mandated – North County	4.53%
AC Transit	
BART	
ADA Mandated – Central County	1.10%
AC Transit	
BART	
Discretionary Program	1.43%

1. Column A shows the percentage of 2000 Measure B funds required to be distributed to each area in the County. Funding for special transportation for seniors and people with disabilities is provided for services mandated by the ADA to fixed-route public transit operators who are required to provide that service. Funds for the South County are allocated between mandated and non-mandated programs on an annual basis by the cities in that part of the County.

2. Coordination/Gaps in Service Fund (1.43%) allocations are recommended by PAPCO and approved by the Alameda CTC Board.
3. Americans with Disabilities Act (ADA) mandated services are allocated to AC Transit and BART according to the percentages included in the Expenditure Plan.

Refer to Paratransit Program Implementation Guidelines for program and project eligibility fund usage, and requirements.

**Alameda County Transportation Commission
Implementation Guidelines
For the Bicycle and Pedestrian Safety Program funded through
Measure B and Vehicle Registration Fees
(Adopted December 16, 2011)**

Section 1. Purpose

- A. To delineate the eligible uses of Bicycle and Pedestrian Safety 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 pass-through funds and Measure B and Vehicle Registration Fees (VRF) discretionary 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 Bicycle and Pedestrian Safety funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Bicycle and Pedestrian 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 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 be approved by the Alameda CTC.

Section 3. Background

- A. 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 Program 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 Program 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 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 5 percent 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.

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

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 1986 and 2000 approved Measure B sales tax programs)
- B. **Capital project:** A bicycle and pedestrian capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **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)
- D. **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.”
- E. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates.
- F. **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.
- G. **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.
- H. **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.

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

- I. **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.
- J. **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.
- K. **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.
- L. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- M. **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.
- N. **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.
- O. **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).
- P. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- Q. **Project Completion/Closeout:** Inspection/project acceptance, final invoicing, final reporting, and processes for closing out project.
- R. **Scoping and Project Feasibility:** Early capital project phases that identify project needs, costs and implementation feasibility.
- S. **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).

Section 5. Bicycle and Pedestrian Safety Fund Allocations

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

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

1. Measure B Bicycle and Pedestrian Pass-through Funds

- a. *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 (which share shall be adjusted annually as described in the Master Program Funding Agreement). These funds are allocated on a monthly basis directly to each city and the County.

- b. *Eligible Uses:* The Measure B Bicycle/Pedestrian pass-through funds may be used for capital projects, programs, or plans that directly address bicycle and pedestrian access, convenience, safety, and usage. Eligible uses for these funds include, but are not necessarily limited to:

- 1) Capital Projects, including:
 - a) New pedestrian facilities (e.g. sidewalks, curb ramps, countdown signals, accessible signals)
 - b) Improvements to existing pedestrian facilities
 - c) New bikeways (such as bicycle routes, boulevards, lanes, multi-use pathways)
 - d) Improvements or upgrades to existing bikeways
 - e) Maintenance of bicycle and pedestrian facilities
 - f) Crossing improvements (at intersections, interchanges, railroads, freeways, etc.) for pedestrians and bicyclists
 - g) Bicycle parking facilities, including construction, maintenance and operations
 - h) ADA on-street improvements
 - i) Signage for pedestrians and/or bicyclists
 - j) Pedestrian and bicycle access improvements to, from and at transit facilities
 - k) Traffic calming projects
 - l) All phases of capital projects, including feasibility studies, planning, and environmental

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

- 2) Development of Local Bicycle and/or Pedestrian Master Plans, and updates of Plans
 - 3) Compliance with complete streets policies, to comply with the California Complete Streets Act of 2008, as specified in Section 6.
 - 4) Design and implementation of education, enforcement, outreach, and promotion programs
 - 5) Direct staff and consultant costs to develop, plan, implement, operate, and maintain the bicycle and pedestrian projects and programs.
 - 6) Maintenance of the portion of the street most often used for bicycling (such as bicycle lanes)
 - 7) Bicycle/pedestrian capital projects on non-city property, such as on school district property.
 - 8) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
 - 9) Crossing guards
 - 10) Direct staff training costs directly related to implementation of projects, plans, or programs implemented with the Bicycle and Pedestrian Safety Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Bicycle/Pedestrian pass-through funds:
- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities not related to transportation
 - 2) Repaving of the entire roadway (see “Eligible Uses” above for exceptions)
 - 3) Capital projects, programs, or plans that do not directly address bicycle and pedestrian access, convenience, safety, and usage
 - 4) Projects or programs that exclusively serve city/county staff
 - 5) 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 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:

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

- 1) List of projects on which to specifically spend Measure B funds
- 2) Local Bicycle and/or Pedestrian Master Plan with priority projects
- 3) Capital Improvement Program
- 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. Bicycle and Pedestrian Grant Funds

- a. 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 that will establish the guiding policies for that grant cycle, and will widely publicize each grant funding cycle.
- b. Local jurisdictions, transit operators and Community Based Organizations (CBO) in Alameda County may be eligible to apply for these competitive funds, and each such jurisdiction, operator, or CBO must provide the Alameda CTC written evidence of the commitment of any required project sponsor funds to be eligible to receive these competitive funds.

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 Street 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.

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

- 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. Local Bicycle/Pedestrian Master Plan Requirement

- A. To receive Measure B and VRF funds, local jurisdictions must do all of the following with respect 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 updated, affirmed, or adopted Complete Streets Plan, Bicycle Plan or Pedestrian Plan by Dec 31, 2015, and update it every 5 years thereafter.
 2. 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 to assist jurisdictions with development of 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.

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.

**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.

Alameda CTC Local Streets and Roads Program Implementation Guidelines

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

Alameda CTC Local Streets and Roads Program Implementation Guidelines

- 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).

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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.

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

Section 1. Purpose

- A. To delineate eligible uses of Mass Transit 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 pass-through funds and Measure B and Vehicle Registration Fees (VRF) discretionary 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 Mass Transit funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Mass Transit 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 Mass Transit 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 Mass Transit 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 21.92 percent overall of Measure B funds for Mass Transit 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 25 percent of net revenues for a Mass Transit Program. These Implementation Guidelines define the eligible uses and allocation process for the Measure B and VRF Mass Transit funds and reflect new policies approved by the Alameda CTC.

Alameda CTC Mass Transit Program Implementation Guidelines

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. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- D. **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 Mass Transit programs funded through the Alameda CTC Master Program Funding Agreements.
- E. **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 Alameda CTC-funded Mass Transit projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Mass Transit funds.
- F. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- G. **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.
- H. **Equipment and new vehicles:** Purchase or lease of vehicles. Equipment for service improvements, such as information dissemination, fare collection, etc.
- I. **Express bus service:** Either of these types of rapid bus service:
 - 1. Service within zones with a defined pick-up area, nonstop express bus service, and a defined drop-off zone.
 - 2. Service that provides a simple route layout, has frequent service and fewer stops than regular fixed route service, and may include level boarding, bus priority at traffic signals, signature identification of the rapid buses such as color-coded buses and stops, and enhanced stations.

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- J. **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.
- K. **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.
- L. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- M. **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.
- N. **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.
- O. **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).
- P. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- Q. **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
- R. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- S. **Safety improvements:** Safety or security improvements for operators, passengers, service users, facilities, and infrastructure or property.
- T. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.

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- U. **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).
- V. **Welfare to Work:** Transit services to enhance transportation opportunities for persons making the transition from welfare to work.

Section 5. Mass Transit Fund Allocations

- A. These Implementation Guidelines provide guidance on the Mass Transit Fund allocation process for Measure B pass-through funds and Measure B Express Bus Services Grant Program and VRF Transit for Congestion Relief Program funds.
 - 1. Measure B Mass Transit Pass-through Funds
 - a. *General:* Alameda CTC distributes Measure B Mass Transit Pass-through Funds to transit operators in Alameda County to be spent on maintenance of transit services, restoration of service cuts, expansion of transit services, and passenger safety and security. Transit operators in Alameda County receive their proportional share of mass transit pass-through funds based on percentages of net revenues generated by the Measure B sales and use tax (which share shall be adjusted annually as described in the Master Program Funding Agreement). These funds are allocated on a monthly basis directly to each transit operator.
 - b. *Eligible Uses:* The Measure B Mass Transit pass-through funds may be used for capital projects, programs, maintenance, or operations that directly improve mass transit services. 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 expansions to bus, ferry, rail, and shuttle infrastructure
 - c) Purchase or lease of equipment or new vehicles for transit services
 - 2) Mass transit system operations and services, including commuter rail; express, local, and feeder bus; and ferry
 - 3) Paratransit services
 - 4) Welfare to Work services
 - 5) Direct staff and consultant costs to develop, plan, implement, operate and maintain transit projects and programs

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- 6) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
 - 7) Direct staff training costs directly related to implementation of projects or programs implemented with the Mass Transit Funds
 - c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Mass Transit 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 does not directly improve mass transit services
 - 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.
2. Measure B Express Bus Services Grant Program Funds
 - a. The Measure B Expenditure Plan dedicates 0.7 percent of net revenues for the Countywide Express Bus Service fund for express bus service projects. The Alameda CTC will administer a Measure B Countywide Express Bus Services discretionary grant program. The Alameda CTC will adopt *Grant Program Guidelines* before each grant cycle that will establish the guiding policies for that grant cycle, and will widely publicize each grant funding cycle.
 - b. Two agencies are eligible to receive express bus services grant funds:
 - 1) Alameda-Contra Costa Transit District (AC Transit)
 - 2) Livermore Amador Valley Transit Authority (LAVTA)Fund recipients must enter into a separate agreement with Alameda CTC.
3. VRF Transit for Congestion Relief Program Funds
 - a. The VRF Expenditure Plan dedicates 25 percent of net revenues for transit projects that provide congestion relief. Alameda CTC awards VRF Transit for Congestion Relief Grant Program funds on a discretionary basis. These funds are intended 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. Fund recipients must enter into a separate agreement with Alameda CTC.
 - b. *Eligible Uses:* VRF Transit for Congestion Relief Grant Program Guidelines provide program eligibility and fund usage guidelines and

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requirements, definitions of terms, evaluation criteria, award details, and monitoring requirements.

Section 6. 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 7. 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.

**Alameda County Transportation Commission
Implementation Guidelines for the
Paratransit Program Funded through Measure B**
(Adopted December 16, 2011)

Section 1. Purpose

- A. To delineate eligible uses of Paratransit 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 pass-through funds and Measure B discretionary 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 Paratransit funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Paratransit 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 Paratransit 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 Paratransit 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 10.45 percent of Measure B funds for special transportation for seniors and people with disabilities (paratransit) 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. These Implementation Guidelines define the eligible uses and allocation process for the Measure B funds and reflect new policies approved by the Alameda CTC.

Alameda CTC Paratransit Program Implementation Guidelines

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. **Americans with Disabilities Act (ADA):** According to the U.S. Equal Employment Opportunity Commission, originally passed in 1990 and revised in 2008, a law that prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA also requires reasonable accommodations for individuals with disabilities and has resulted in the removal of many barriers to transportation and in better access for seniors and people with disabilities.
- C. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion. For paratransit programs, may be an investment in vehicles or equipment directly related to providing paratransit services.
- D. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- E. **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 Paratransit programs funded through the Alameda CTC Master Program Funding Agreements.
- F. **Customer service and outreach:** Customer service functions as well as costs associated with marketing, education, outreach, and promotional campaigns and programs.
- G. **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 Paratransit projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Paratransit funds.
- H. **East Bay Paratransit (EBP) ticket purchase:** Amount paid to East Bay Paratransit for tickets plus associated costs, for example, distribution.
- I. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- J. **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.

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- K. **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.
- L. **Group trips:** One-way passenger trips considered group trips. Includes vehicle operation and contracts. See individual demand-response trips.
- M. **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.
- N. **Individual demand-response trips:** Taxi service, door-to-door trips, and van trips that passengers request on demand. Includes actual operation cost and contracts for vehicle operation, scheduling, dispatching, vehicle maintenance, supervision, and fare collection (including ticket or scrip printing and sales) for the purpose of carrying passengers.
- O. **Maintenance:** Repairs, renovation, or upgrade of existing facility, infrastructure, or vehicles.
- P. **Management:** Direct staffing costs and benefits to manage programs, projects, and services.
- Q. **Meal delivery:** Service that includes costs associated with vehicle operation, scheduling, dispatching, vehicle maintenance, and supervision for the purpose of delivering meals, whether provided in-house, through contracts, via taxicab, or by grantees. See Meals on Wheels.
- R. **Meals on Wheels:** Service that is part of a Senior Nutrition Program and provides delivery of meals to seniors and people with disabilities. See meal delivery.
- S. **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.
- T. **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.
- U. **Paratransit Advisory and Planning Committee:** Originally named by the Measure B Expenditure Plan as the Alameda County Paratransit Coordinating Council, the Alameda CTC committee that meets to address funding, planning, and coordination issues regarding paratransit services in Alameda County. Members must be an Alameda County resident and an eligible user of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a Technical Advisory Committee comprised of Measure B-funded paratransit providers in Alameda County.
- V. **Paratransit service:** Transportation services for seniors and people with disabilities including ADA-mandated or non-mandated shuttle or fixed-route services, including door-to-door services, group trips, and individual demand-response trip services; taxi programs;

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Meals on Wheels or meal delivery; volunteer driver programs; and purchase of EBP tickets.

- W. **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).
- X. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- Y. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- Z. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- AA. **Shuttle or fixed-route trips:** Shuttle service or fixed-route bus service, for example. Includes vehicle operation and contracts. See individual demand-response trips.

Section 5. Paratransit Fund Allocations

- A. These Implementation Guidelines provide guidance on the Paratransit Fund allocation process for Measure B pass-through funds and Measure B Paratransit Gap Grant Program funds.
 - I. **Measure B Paratransit Pass-through Funds**
 - a. *General:* Alameda CTC distributes Measure B Paratransit Pass-through Funds to fixed-route public transit operators that are required to provide transportation services mandated by the ADA; and to cities in Alameda County and the County to provide non-mandated services, aimed at improving mobility for seniors and persons with disabilities.
 - 1) A portion of the funds as defined in the Master Programs Funding Agreement are local pass-through funds distributed to Alameda County cities to provide non-mandated transportation services for seniors and people with disabilities allocated to each city operating paratransit service through a census-based funding formula that is developed by PAPCO and approved by the Alameda CTC Board.
 - 2) A portion of the funds as defined in the Master Programs Funding Agreement are local pass-through funds distributed to Alameda County's primary mandated ADA service provider, East Bay Paratransit Consortium.
 - b. *Eligible Uses:* The Measure B Paratransit pass-through funds may be used for capital projects, programs, maintenance, or operations that directly improve paratransit services. Eligible uses for these funds include services as defined in Attachment A, as well as, but not limited to:
 - 1) Direct staff and consultant costs to develop, plan, implement, manage, operate and maintain paratransit projects and programs

Alameda CTC Paratransit Program Implementation Guidelines

- 2) Direct staff and consultant costs to provide customer service and outreach for paratransit projects and programs
 - 3) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
 - 4) Direct staff training costs directly related to implementation of projects or programs implemented with the Paratransit Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Paratransit pass-through funds:
- 1) Non-transportation projects or services such as fees charged to capital construction projects for services or amenities not related to transportation
 - 2) Capital projects, programs, maintenance, or operations that do not directly improve paratransit services
 - 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.
2. Measure B Paratransit Gap Grant Program Funds
- a. The Measure B Expenditure Plan dedicates 1.43 percent of the funds for gaps in services to be recommended by PAPCO to reduce differences that might occur based on the geographic residence of any individual needing services. The Alameda CTC will administer a Measure B Paratransit Gap Grant discretionary grant program.
 - b. The Alameda CTC will adopt *Grant Program Guidelines* before each grant cycle that will establish the guiding policies for that grant cycle, and will widely publicize each grant funding cycle.
 - c. Gap funds provide Alameda County with the opportunity to be innovative and explore alternative service delivery mechanisms in the face of a senior and disability population expected to grow substantially over the next 20 years. The population of people likely to need paratransit service is expected to outpace the growth in sales tax revenues that fund paratransit programs in Alameda County, including city-based programs and ADA-mandated services. Gap funds provide an opportunity to minimize the differences in service experienced by consumers based on their geographic location.

Section 6. 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

Alameda CTC Paratransit Program Implementation Guidelines

projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

Section 7. 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.

Attachment A: Paratransit Service Requirements

All programs funded partially or in full by Measure B revenue must abide by the following paratransit service requirements. In cases where these requirements affect current service parameters, there will be a grace period of one year to come into compliance with these requirements. Programs must be in full compliance with the requirements by the end of fiscal year 2012-2013. Any new service started after adoption of the Paratransit Program Implementation Guidelines must abide by the following service requirements.

Each of the services listed below are eligible to be funded through Measure B and the VRF revenues. The following chart summarizes these service types along the basic customer experience parameters.

Service Type	Timing	Consumer Experience Parameters		
		Accessibility	Origins/ Destinations	Eligible Population
ADA Paratransit	Pre-scheduled	Accessible	Origin-to-Destination	People with disabilities unable to ride fixed route transit
Door-to-Door Service	Pre-scheduled	Accessible	Origin-to-Destination	People with disabilities unable to ride fixed route transit and seniors
Taxi Subsidy	Same Day	Varies	Origin-to-Destination	Seniors and people with disabilities
Accessible Shuttles	Fixed Schedule	Accessible	Fixed Route	Seniors and people with disabilities
Group Trips	Pre-scheduled	Accessible	Fixed Route	Seniors and people with disabilities
Volunteer Drivers	Pre-scheduled	Generally Not Accessible	Origin-to-Destination	Vulnerable populations with special needs, e.g. requiring door-through-door service or escort

ADA Paratransit (Mandated Services)

Programs mandated by the Americans with Disabilities Act (ADA) are a service type that is eligible for funding from Measure B and/or VRF revenues. These programs are implemented and administered according to federal guidelines that may supersede these guidelines; however all ADA-mandated programs funded through Measure B or the VRF are subject to the terms of the Master Funding Agreement.

Alameda CTC Paratransit Program Implementation Guidelines

Interim Service for Consumers Awaiting ADA Certification

At the request of a health care provider, or ADA provider, city programs must provide interim service through the programs listed below to consumers awaiting ADA certification. Service must be provided within three business days of receipt of application.

City-based Door-to-Door Service Guidelines	
Service Description	<p>City-based door-to-door services are pre-scheduled, accessible, door-to-door service. Some programs allow same day reservations on a space-available basis. They provide a similar level of service to mandated ADA services. These services are designed to fill gaps that are not met by ADA-mandated providers and/or relieve ADA-mandated providers of some trips.</p> <p>This service type does not include taxi subsidies which are discussed below.</p>
Eligible Population	<p>People 18 and above with disabilities who are unable to use fixed route services or Seniors 80 years or older without proof of a disability.</p> <p>Cities may provide services to consumers who are younger than age 80, but not younger than 70 years old.</p> <p>Program sponsors may use <i>ADA eligibility</i>, as established by ADA-mandated providers (<i>incl. East Bay Paratransit, LAVTA, Union City Transit</i>), as proof of disability.</p>
Time & Days of Service	<p>At a minimum, service must be available five days per week between the hours of 8 am and 5 pm (excluding holidays).</p> <p>At a minimum, programs should accept reservations between the hours of 8 am and 5 pm Monday – Friday.</p>
Service Area	<p>The service area must allow eligible consumers to meet life needs, including but not limited to travel to major medical facilities, full service grocery stores and other basic necessities, if ADA service or other base programs are unable to provide these trips.</p>
Fare (Cost to Customer)	<p>Fares should be not exceed East Bay Paratransit fares, but can be lower, and can be equated to distance.</p>
Other	<p>Door-to-Door programs must demonstrate that they are providing trips at an equal or lower cost than the ADA-mandated provider on a cost per trip and cost per hour basis.</p> <p>Programs cannot impose limitations based on trip purpose, but can impose per person trip limits to control program resources.</p>

Alameda CTC Paratransit Program Implementation Guidelines

Taxi Subsidy Service Guidelines	
Service Description	<p>Taxi subsidy programs provide same day, curb-to-curb service intended for situations when consumers cannot make their trip on a pre-scheduled basis. This service allows eligible consumers to use taxis at a reduced fare. This is meant to be a “premier” safety net service, not a routine service to be used on a daily basis.</p> <p>The availability of accessible taxi cabs varies by geographical area, but programs should expand availability of accessible taxi cabs where possible.</p>
Eligible Population	<p>People 18 and above with disabilities who are unable to use fixed route services or Seniors 80 years or older without proof of a disability.</p> <p>Cities may provide services to consumers who are younger than age 80, but not younger than 70 years old.</p> <p><i>Program sponsors may use ADA eligibility, as established by ADA-mandated providers (incl. East Bay Paratransit, LAVTA, Union City Transit), as proof of disability.</i></p>
Time & Days of Service	24 hours per day/7 days per week
Service Area	At a minimum, service area should include the planning area.
Fare (Cost to Customer)	<p>At a minimum, programs must subsidize 50% of the taxi fare.</p> <p>Programs can impose a cap on total subsidy per person. This can be accomplished through a maximum subsidy per trip, a limit on the number of vouchers per person, and/or a total subsidy per person per year.</p>
Other	<p>Specially designed accessible same-day transportation services (e.g. Wheelchair Van) are an allowable expense where accessible taxi vehicles are not readily available through private taxi companies.</p> <p>Medical return transportation services (e.g. MRTiP) are an allowable expense to meet the need for accessible same-day transportation service for people with disabilities returning from medical services.</p>

City Accessible Shuttle Service Guidelines	
Service Description	Shuttles are accessible vehicles that operate on a fixed route and schedule. They serve common trip origins and destinations visited by eligible consumers. Common trip origins and destinations are: senior centers, medical facilities, grocery stores, BART stations, other transit stations, community centers, commercial districts, and post offices. Shuttles should be designed to <i>supplement</i> the services of existing fixed route transit services. Routes should not necessarily be designed for fast travel, but to get as close as possible to destinations of interest, often going into parking lots or up to the front entrance of a senior living facility. Shuttles allow for more flexibility than pre-scheduled paratransit service, and are more likely to serve active seniors who do not drive and are not ADA paratransit registrants.
Eligible Population	Shuttles should be designed to appeal to older people, but can be made open to the general public.
Time and Days of Service	At discretion of program sponsor with local consumer input.
Service Area	At discretion of program sponsor.
Fare (Cost to Customer)	Fares should be not exceed East Bay Paratransit fares, but can be lower, and can be equated to distance.
Cost of Service	By end of FY12/13, the cost per one-way person trip must be \$20 or lower.
Other	<p>Shuttles are required to coordinate with the local fixed route transit provider.</p> <p>Shuttle routes and schedules should be designed with input from the senior and disabled communities and any shuttle plan must be submitted to the Alameda CTC for review prior to requesting funding to ensure effective design.</p> <p>Deviations and flag stops are permitted at discretion of program sponsor.</p>

Alameda CTC Paratransit Program Implementation Guidelines

Group Trips Service Guidelines	
Service Description	Group trips are round-trip accessible van rides for pre-planned outings or to attend specific events or go to specific destinations for fixed amounts of time, e.g. shopping trips or religious services. Trips usually originate from a senior center or housing facility. These trips are specifically designed to serve the needs of seniors and people with disabilities.
Eligible Population	At discretion of program sponsor.
Service Area	Programs can impose mileage limitations to control program costs.
Time and Days of Service	Group trips must begin and end on the same day.
Fare (Cost to Customer)	At discretion of program sponsor.

Volunteer Driver Service Guidelines	
Service Description	Volunteer driver services are pre-scheduled, door-through-door services that are generally not accessible. These programs rely on volunteers to drive eligible consumers for critical trip needs, such as medical trips. This service type meets a key mobility gap by serving door-through-door trips for more vulnerable populations. This is a complementary gap-filling service. Volunteer driver programs may also have an escort component where volunteers accompany consumers, who are unable to travel in a private vehicle, on ADA trips.
Eligible Population	At discretion of program sponsor.
Time and Days of Service	At discretion of program sponsor.
Fare (Cost to Customer)	At discretion of program sponsor.
Other	Program sponsors can use Measure B funds to pay for volunteer mileage reimbursement purposes or an equivalent financial incentive for volunteers and/or administrative purposes.

Alameda CTC Paratransit Program Implementation Guidelines

Mobility Management and/or Travel Training Service Guidelines	
Service Description	Mobility management and/or travel training play an important role in ensuring that people use the “right” service for each trip, e.g. using EBP from Fremont to Berkeley for an event, using a taxi voucher for a same-day semi-emergency doctor visit, and requesting help from a volunteer driver or group trips service for grocery shopping. Mobility management covers a wide range of activities, such as travel training, trip planning, and brokerage.
Eligible Population	At discretion of program sponsor.
Time and Days of Service	At discretion of program sponsor.
Fare (Cost to Customer)	N/A
Other	Programs must specify a well-defined set of activities that will be undertaken in a mobility management or travel training program. The mobility management plan or travel training program must be submitted to the Alameda CTC for review prior to requesting funding to ensure effective design.

Alameda CTC Paratransit Program Implementation Guidelines

Scholarship/Subsidized Fare Program Guidelines	
Service Description	Scholarship or Subsidized Fare Programs can subsidize any service for customers who are low-income and can demonstrate financial need.
Eligible Population	Subsidies can be offered to low-income consumers with demonstrated financial need; these consumers must also meet the eligibility requirements of the service for which the subsidy is being offered. Low income should be considered 30% AMI (area median income) or lower.
Time and Days of Service	N/A
Fare (Cost to Customer)	N/A
Other	Program sponsors must describe how financial means testing will be undertaken. If program sponsors include subsidized East Bay Paratransit (EBP) tickets in this program, no more than 3% of their pass-through funds may be used for these tickets.

Meal Delivery Service Guidelines	
Service Description	Meal Delivery Programs deliver meals to the homes of individuals who are transportation disadvantaged. Although this provides access to life sustaining needs for seniors and people with disabilities, it is not a direct transportation service.
Eligible Population	For currently operating programs, at discretion of program sponsor.
Time and Days of Service	For currently operating programs, at discretion of program sponsor.
Fare (Cost to Customer)	For currently operating programs, at discretion of program sponsor.
Other	Currently operating programs can continue to use Measure B funds for these service costs, but new meal delivery services cannot be established.

**Alameda County Transportation Commission
Implementation Guidelines for the
Local Transportation Technology Program
Funded through Vehicle Registration Fees
(Adopted December 16, 2011)**

Section 1. Purpose

- A. To delineate eligible uses of Local Transportation Technology 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 Vehicle Registration Fees (VRF) discretionary 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 Transportation Technology funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Local Transportation Technology 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 Transportation Technology 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 Transportation Technology funds to clarify eligible fund uses and expenditures in association with new, 10-year Master Program Funding Agreements with local jurisdictions and Alameda County that 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 10 percent of net revenues for a Local Transportation Technology Program. These Implementation Guidelines define the eligible uses and allocation process for the VRF Local Transportation Technology 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

Alameda CTC Local Transportation Technology Program Implementation Guidelines

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. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- D. **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 Transportation Technology programs funded through the Alameda CTC Master Program Funding Agreements.
- E. **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 Alameda CTC-funded Local Transportation Technology projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Local Transportation Technology funds.
- F. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- G. **Emergency evacuation plan:** An evacuation plan for use during emergencies and natural disasters.
- H. **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.
- I. **Equipment and new vehicles:** Purchase or lease of vehicles, and equipment for service improvements, such as information dissemination, fare collection, etc.
- J. **Flush Plan:** An optimal traffic signal timing plan for traffic flushing of vehicles through arterial streets back to a major highway in case of traffic incidents.
- K. **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.
- L. **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.
- M. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.

Alameda CTC Local Transportation Technology Program Implementation Guidelines

- N. **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.
- O. **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.
- P. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- Q. **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
- R. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- S. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- T. **Smart Corridors Program:** A multi-modal advanced transportation management system, which provides real-time traffic conditions along major transportation corridors to allow participating agencies to better manage congestion and incidents along regional routes; improve transportation mobility, efficiency, and safety; and provide timely, multi-modal transportation information to agency transportation managers and to the public.
- U. **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 Transportation Technology Fund Allocations

- A. These Implementation Guidelines provide guidance on the VRF Local Transportation Technology Fund allocation process.

Alameda CTC Local Transportation Technology Program Implementation Guidelines

1. *General:* The VRF Expenditure Plan dedicates 10 percent of net revenues for the VRF Local Transportation Technology fund for technology projects. Alameda CTC awards VRF Local Transportation Technology funds on a discretionary basis. These funds are intended to continue and improve the performance of road, transit, pedestrian and bicyclist technology applications, and to accommodate emerging vehicle technologies such as electric and plug-in-hybrid vehicles.
2. *Eligible Uses:* The Alameda CTC will administer these funds and adopt VRF Local Transportation Technology Program Guidelines that will provide program eligibility and fund usage guidelines and requirements, definitions of terms, geographic equity, evaluation criteria, award details, and monitoring requirements. Eligible projects include:
 - a. 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
 - b. Infrastructure for alternative vehicle fuels such as electric and plug-in-hybrid vehicle stations
 - c. New or emerging transportation technologies that provide congestion or pollution mitigation
 - d. Advanced signal technology for walking and bicycling
 - e. Development and implementation of flush plans
 - f. Development of emergency evacuation plans

Section 6. 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.

**Alameda County Transportation Commission
Implementation Guidelines for the
Transit Center Development Program
Funded through Measure B
(Adopted December 16, 2011)**

Section 1. Purpose

- A. To delineate eligible uses of Transit Center Development 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 discretionary 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 Transit Center Development funds eligible uses and expenditures.
 2. Define the terms in the Master Program Funding Agreements.
 3. Guide Transit Center Development 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 Transit Center Development 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 Transit Center Development 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 0.19 percent of Measure B funds for Transit Center Development programs and projects. The original program funding agreements for Measure B pass-through funds expired in spring 2012, and Alameda CTC put in place new Master Program Funding Agreements to continue fund allocations for the remaining term of Measure B funds allocations through June 2022. These Implementation Guidelines define the eligible uses and allocation process for the Measure B Transit Center Development 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,

Alameda CTC Transit Center Development Program Implementation Guidelines

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. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- D. **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 Transit Center Development programs funded through the Alameda CTC Master Program Funding Agreements.
- E. **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 Alameda CTC-funded Transit Center Development projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Transit Center Development funds.
- F. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- G. **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.
- H. **Equipment and new vehicles:** Purchase or lease of vehicles, and equipment for service improvements, such as information dissemination, fare collection, etc.
- I. **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.
- J. **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.
- K. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- L. **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.

Alameda CTC Transit Center Development Program Implementation Guidelines

- M. **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.
- N. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- O. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- P. **Transit center development (TCD or transit oriented development [TOD]):** Also referred to as priority development areas (PDAs), transit villages, or transit oriented design, a mixed-use residential or commercial area designed to maximize access to public transportation. The California Department of Transportation defines TCD or TOD as, "Moderate to higher density development, located within an easy walk of a major transit stop, generally with a mix of residential, employment, and shopping opportunities designed for pedestrians without excluding the auto. TOD can be new construction or redevelopment of one or more buildings whose design and orientation facilitate transit use."
- Q. **Transit Oriented Development-Technical Assistance Program (TOD-TAP):** Program created in 2005 by the Alameda County Congestion Management Agency to provide jurisdictions technical assistance to complete studies and plans in a variety of topics that help advance transit oriented development projects.
- R. **Transportation for Livable Communities (TLC):** A regional program that the Metropolitan Transportation Commission administers to support community-based transportation projects that bring new vibrancy to downtown areas, commercial cores, neighborhoods, and transit corridors, enhancing their amenities and ambiance and making them places where people want to live, work, and visit. TLC provides funding for projects that are developed through an inclusive community planning effort, provide for a range of transportation choices, and support connectivity between transportation investments and land uses.

Section 5. Transit Center Development Fund Allocations

- A. These Implementation Guidelines provide guidance on the Measure B Transit Center Development Fund allocation process.
 - 1. *General:* Alameda CTC awards Measure B Transit Center Development funds to cities in the county and to Alameda County on a discretionary basis through a competitive grant program. These funds are intended to encourage residential and retail development near transit centers. Nonprofit organizations and transit operators are not directly eligible for these funds.
 - 2. *Eligible Uses:* The Alameda CTC will administer these funds and adopt Measure B Transit Center Development Grant Program Guidelines that provide program eligibility and fund usage guidelines and requirements, definitions of terms, evaluation criteria, award details, and monitoring requirements. Eligible projects include:

Alameda CTC Transit Center Development Program Implementation Guidelines

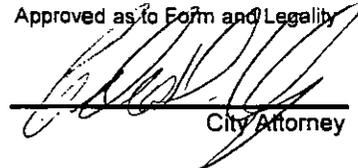
- a. The local match portion of the Metropolitan Transportation Commission (MTC) Transportation for Livable Communities Program for planning and capital projects.
- b. A match to the MTC Transportation and Land Use (T-PLUS) program for TOD-TAP.
- c. Funding for consultant services, studies and plans for the Alameda CTC administered TOD-TAP.

Section 6. 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, for comment before changes are adopted by the Alameda CTC Board.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2012 MAR 15 PM 1:51
RESOLUTION No. _____ C.M.S.
Introduced by Councilmember _____

ADOPTION OF A RESOLUTION APPROVING THE 2012-2022 MASTER PROGRAMS FUNDING AGREEMENT BETWEEN THE ALAMEDA COUNTY TRANSPORTATION COMMISSION AND THE CITY OF OAKLAND GOVERNING MEASURE B TRANSPORTATION SALES TAX AND MEASURE F VEHICLE REGISTRATION FEE FUNDS

WHEREAS, voters approved the 20-year Measure B half-cent transportation sales tax in 2000; and

WHEREAS, the funding agreements between the Alameda County Transportation Improvement Authority (ACTIA) and City of Oakland governing pass-throughs of local streets and roads, bicycle and pedestrian and paratransit expire in mid-2012; and

WHEREAS, voters approved the Vehicle Registration Fee (VRF) of \$10 in 2010, which also authorizes entering into an agreement with City of Oakland through June 30, 2022 for receipt and eligibility of funds; and

WHEREAS, the Alameda County Transportation Commission (Alameda CTC) is a joint powers authority resulting from the merger of the Alameda County Congestion Management Agency and ACTIA and is responsible for distributing to local jurisdictions the Measure B and VRF revenues for bicycle and pedestrian safety, local streets and roads, local transportation technology, mass transit, paratransit, and transit center development programs; and

WHEREAS, the Alameda CTC has developed a new master programs funding agreement (MPFA) that specifies the Measure B and VRF funding distributions, Alameda CTC's responsibilities, and the recipient's responsibilities; and

WHEREAS, implementation guidelines for each program are incorporated into the MPFA and guide fund eligibility and expenditures; now therefore be it

RESOLVED, that the Oakland City Council approves the MPFA attached to this resolution; and be it

FURTHER RESOLVED, that the City of Oakland and its agents shall comply with the Alameda CTC MPFA; and be it

FURTHER RESOLVED, that City of Oakland shall use these local funds solely for local transportation purposes only as defined by the authorizing ballot measure.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

**LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California**