

6. Presentation/Discussion of the CCTA's Proposed Guidelines for both the Measure J Transportation for Livable Communities and the Pedestrian, Bicycle and Trail Facilities (PBTF) Proposed Guidelines by Brad Beck, CCTA Senior Transportation Planner

Attachments:

- SWAT comment letters on the CC-TLC and PBTF;
- March 2, 2011 Planning Committee action report to CCTA on the proposed guidelines for the Measure J Transportation for Livable Communities and Pedestrian, Bicycle and Trail Facilities Programs;
- CCTA March 18, 2011 Memo from Randell H. Iwasaki, CCTA Executive Director, "Release of Draft Guidelines for the Measure J TLC Program";
- The following Measure J excerpts: "Pedestrian Bicycle and Trail Facilities Program"; "Transportation for Livable Communities Project Grants" and "Summary of the Contra Costa Transportation for Livable Communities Program"



SWAT

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April 4, 2011

David Durant, Chair
 Contra Costa Transportation Authority
 2999 Oak Road, Suite 100
 Walnut Creek, CA 94597

RE: SWAT Comments on the proposed Measure J Transportation for Livable Communities (CC-TLC) Program Guidelines

Dear Chair Durant:

At their April 4, 2011 meeting, the Southwest Area Transportation Committee (SWAT) discussed at length the proposed CC-TLC Program Guidelines. As a means of setting the context, the SWAT Committee wishes to re-state and underscore the intent of the CC-TLC Program to serve as a funding source that supports all local efforts undertaken to achieve livable communities. These funds are particularly critical for those projects that have difficulty competing for state or federal funds because of their comparatively small size. Within this context, SWAT would like to respectfully submit their comments and concerns:

- **Maintain the Character of Local Funding - Flexibility:** SWAT is concerned that the prescriptive nature of the proposed Guidelines would result in the unintended consequence of potentially obstructing rather than facilitating the delivery of local projects that would create livable communities.
- **Focus on Goals and Operating Parameters:** To address the previously stated concern, SWAT advocates that the Guidelines focus primarily on defining:
 - a. Purpose of the program
 - b. Eligibility
 - c. Funding cycles
 - d. RTPCs role in reviewing and recommending projects
- **Promote Adaptability, Minimize Uniformity:** To achieve the overarching goal of preserving flexibility, SWAT also advocates that the proposed Guidelines be substantially simplified so that each RTPC may advance projects, with an adaptable approach that addresses the inherent diversity of needs within each subregion. To achieve this objective, SWAT recommends the elimination of the following:
 - a. *Project Components:* As proposed, the Guidelines divide eligible projects into their component parts (plans, design, construction, etc.), and impose set-aside requirements as well as minimum project funding requests; to

various components. SWAT is concerned that this detailed description of project components would also result in unintended consequences – potentially hindering the program from adapting to the changing needs of a diverse county with a detailed prescription of what may be funded over the course of the next two decades.

- b. *Minimum Requests:* As proposed, the Guidelines require minimum project funding requests. As an example, a minimum request for preliminary engineering and design is set at \$75,000. Given that preliminary engineering typically represents 10-15% of a project's total cost, only large projects would be eligible for CC-TLC funding.

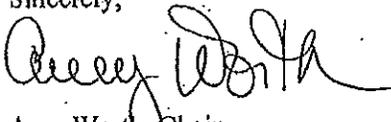
SWAT is particularly concerned about this requirement, as it conflicts with the intent of a local funding source to serve local project needs. It also presents a challenging situation for SWAT jurisdictions where many projects are substantially smaller in scope. Further exacerbating this concern is the recognition that these funds (along with PBTF funds) are one of the few sources of funding for small local projects available to jurisdictions given that much of the Strategic Expenditure Plan funds within the southwest have been programmed for the Caldecott Tunnel in the early years of Measure J.

- c. *Prescriptive Project Review:* As proposed, the Guidelines define project review criteria, process, and application requirements. SWAT is concerned that this prescriptive approach to project selection could potentially hinder each subregion's ability to adapt to changing needs and require a level of administrative capacity that is not uniform across all subregions.

SWAT recommends that the focus of the program should be to ensure that all recommended projects meet the legislative intent of Measure J. Beyond that, it is recommended that the review process be defined by each RTPC.

Thank you for your consideration and opportunity to comment on this matter. If you should have any questions or comments, please contact Andy Dillard, SWAT Administrator at (925) 314-3384, or adillard@danville.ca.gov

Sincerely,



Amy Worth, Chair
Southwest Area Transportation Committee
Contra Costa County, CA

Cc: Randell H. Iwasaki, Executive Director
Brad Beck, Senior Transportation Planner
SWAT and SWAT TAC; WCCTAC; Christina Atienza; TRANSPAC, Barbara Neustadter; TRANSPLAN, John Cunningham; CCTA, Danice Rosenbohm



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April 11, 2011

Elizabeth M. Murphy, Secretary
 Securities and Exchange Commission
 100 F Street, NE
 Washington, DC 20549-1090

RE: Comments to Proposed Rules 15Ba1-1 through 15Ba1-7

Dear Ms. Murphy,

At their meeting of March 7, 2011, the Southwest Area Transportation Committee (SWAT) discussed and provided comments on the Securities and Exchange Commission (SEC) proposed Rules 15Ba1-1 through 15Ba1-7, and specifically, the proposed Rules definition of "municipal advisor."

It is the position of SWAT that appointees serving on the governing body of a municipal entity should be excluded from the proposed Rules definition of "municipal advisor," regardless of whether they were elected to such office, serve as ex officio members, or were appointed without election. Requiring these officials to register will increase the costs that state and local governments must bear, reduce the number of qualified individuals willing to volunteer for such duties, and may reduce the quality of services available to municipal entities. States already extensively regulate the activities of public officials and enforce accountability through reporting measures similar to those contemplated by the Rules. We urge you to reconsider your suggested treatment of appointed members of a municipal entity's governing body, and to allow them the same exemption provided to elected officials.

Thank you for your consideration and opportunity to comment on this matter. If you should have any questions or comments, please contact me at (925) 253-4220, or aworth@ci.orinda.ca.us.

Sincerely,

Amy Worth, Chair
 Southwest Area Transportation Committee
 Contra Costa County, CA

Cc: SWAT; SWAT TAC; John Cunningham, TRANSPAN; Christina Atienza, WCCTAC; Barbara Neustadter, TRANSPAC; Danice Rosenbohm, CCTA; Randell Iwasaki, CCTA



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April 4, 2011

David Durant, Chair
 Contra Costa Transportation Authority
 2999 Oak Road, Suite 100
 Walnut Creek, CA 94597

RE: SWAT Comments on the proposed Measure J Pedestrian, Bicycle and Trail
 Facilities (PBTF) Program Guidelines

Dear Chair Durant:

At their April 4, 2011 meeting, the Southwest Area Transportation Committee (SWAT) discussed at length the proposed PBTF Program Guidelines. As a means of setting the context, the SWAT Committee wishes to express the importance of insuring ability of local jurisdictions to utilize a funding source available for bicycle, pedestrian and trail projects that currently have difficulty competing for state or federal funds due to their smaller scope of work and project costs.

The need to ensure funding and programming flexibility is particularly acute in SWAT because much of the Strategic Expenditure Plan funds within the southwest have been dedicated to the Caldecott Tunnel in the early years of Measure J. Within this context, SWAT would like to respectfully submit their comments and concerns:

1. "Normal Accommodations": The proposed Guidelines (page 2) prohibits the use of these funds in the following manner:

"Countywide share funds can only be used to fund the bicycle or pedestrian portion of a roadway improvement primarily design[ed] for vehicular movement and only if the bicycle and pedestrian improvements go beyond normal accommodation. A project would go beyond "normal accommodation" if the bicycle or pedestrian facilities exceed the agency's adopted standards for the facility on which the improvement is proposed to [be] made."

As currently defined, this definition prohibits an agency from using PBTF funds to deliver projects that are identified in a community's plan (such as a general plan, specific plan, or bicycle and pedestrian plan).

SWAT is concerned about this requirement's inherent contradiction because it is inconsistent with the intent of the program and with the PBTF Guidelines' parallel requirement for eligible projects to be listed in the *Countywide Bicycle and Pedestrian Plan* (many of which are embedded within locally adopted plans).

It is SWAT's understanding that this restriction is intended to prohibit the use of PBTF funds to supplant existing funding commitments to roadway projects that already have a bicycle or pedestrian facility. SWAT is supportive of this intent and recommends the following modification to address the unintended contradiction:

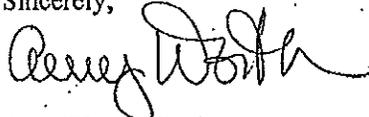
"Countywide share funds can only be used to fund the bicycle or pedestrian facilities. If the bicycle or pedestrian facility is a part of a larger portion of a roadway improvement project not primarily design[ed] for increasing vehicular movement capacity, then the bicycle and pedestrian facility is eligible for these funds and only if the bicycle and pedestrian improvements go beyond normal accommodation."

2. **Minimum and Maximum Requests:** The proposed Guidelines establish a minimum request of \$100,000 in an effort to minimize administrative CCTA oversight. This requirement presents a challenging situation for the southwest area, where many projects are substantially smaller in size, and by definition, become ineligible to receive project funding.

SWAT recommends that this requirement be eliminated, reduced or defined in a manner that allows for project bundling across jurisdictional boundaries.

Thank you for your consideration and opportunity to comment on this matter. If you should have any questions or comments, please contact Andy Dillard, SWAT Administrator, at (925) 314-3384, or adillard@danville.ca.gov

Sincerely,



Amy Worth, Chair
Southwest Area Transportation Committee
Contra Costa County, CA

Cc: Randell H. Iwasaki, Executive Director
Brad Beck, Senior Transportation Planner
SWAT and SWAT TAC; WCCTAC, Christina Atienza; TRANSPAC, Barbara Neustadter; TRANSPLAN, John Cunningham; CCTA, Danice Rosenbohm



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April 4, 2011

David Durant, Chair
 Contra Costa Transportation Authority
 2999 Oak Road, Suite 100
 Walnut Creek, CA 94597

RE: SWAT Comments on the proposed Safe Routes to School (SR2S) Program Funding Allocation Approach

Dear Chair Durant:

At their April 4, 2011 meeting, the Southwest Area Transportation Committee (SWAT) discussed at length the proposed Safe Routes to School funding allocation approach. SWAT recognizes and appreciates the complexities and restrictions associated with using federal CMAQ funds for program implementation.

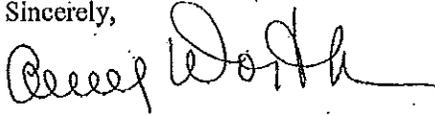
However, the Committee is particularly concerned about the \$500,000 minimum project size requirement in order to be eligible for funding. This requirement presents a challenging situation for southwest area jurisdictions, where many projects are substantially smaller in size. Furthermore, SWAT is concerned that the requirement serves to foster a sense of competition rather than a spirit of collaboration within and among the jurisdictions of Contra Costa.

Consistent with the overarching goal of insuring the greatest flexibility for local programs, SWAT supports the following recommendations identified during a meeting of RTPC Managers, SR2S Task Force members, and Authority staff on March 28, 2011:

1. Pursue a fund exchange request (federal CMAQ funds for Measure J funds associated with a capital project with CMAQ-eligible components and complementary time frames);
2. Provide for and facilitate "project bundling" across jurisdictional boundaries;
3. Provide for the ability to allocate funds at the subregional level in a manner that addresses the inherent diversity of each subregion's needs.

Thank you for your consideration and opportunity to comment on this matter. If you should have any questions or comments, please contact Andy Dillard, SWAT Administrator, at (925) 314-3384, or adillard@danville.ca.gov

Sincerely,

A handwritten signature in cursive script, appearing to read "Amy Worth".

Amy Worth, Chair
Southwest Area Transportation Committee
Contra Costa County, CA

Cc: Randell H. Iwasaki, Executive Director
Brad Beck, Senior Transportation Planner
SWAT and SWAT TAC; WCCTAC, Christina Atienza; TRANSPAC, Barbara
Neustadter; TRANSPLAN, John Cunningham; CCTA, Danice Rosenbohm



Planning Committee **STAFF REPORT**

Meeting Date: March 2, 2011

Subject	Proposed Guidelines for the Measure J Transportation for Livable Communities and Pedestrian, Bicycle and Trail Facilities Programs
Summary of Issues	Measure J includes Program 12, Transportation for Livable Communities (CC-TLC), which will support local efforts to create compact, mixed-use and pedestrian- and bicycle-friendly developments and encourage more walking, bicycling and transit use, and Program 13, Pedestrian, Bicycle and Trail Facilities (PBTF) which is designed to fund projects identified in the Countywide Bicycle and Pedestrian Plan. Working with the CC-TLC working group and the Countywide Bicycle and Pedestrian Advisory Committee, staff has prepared draft guidelines for circulation and review by the RTPCs.
Recommendations	Review the proposed guidelines, refine policies, and circulate to the RTPCs for review and comment.
Financial Implications	During the first five years of Measure J (FY 2009-10 through FY 2014-15), an estimated \$22.7-15.5 million will be available through the CC-TLC program and \$6.7-6.1 million through the PBTF program
Options	Revise the draft CC-TLC and PBTF guidelines
Attachments (See PC Packet, dated 3/2/11 for A & B)	<ul style="list-style-type: none"> A. Draft Guidelines for Measure J Program 12: Transportation for Livable Communities B. Draft Guidelines for Measure J Program 13: Pedestrian, Bicycle and Trail Facilities C. Draft Cover Letter
Changes from Committee	<i>The Planning Committee recommended that Authority staff should prepare a cover letter for the proposed guidelines for both programs that identifies the policy issues raised in this boardletter as well as the questions about the proposed minimums and maximums identified by the Planning Committee meeting. The vote was 4-1 to release the draft guidelines with Commissioner Durant, who</i>

recommended that the criteria not ask for letters of public support, voting no. Commissioner Durant noted that if a project was consistent with adopted local policy it would have already gone through a public vetting.

Background

Measure J allocates 6.5 percent of the sales tax revenues received — 6.94 percent if additional funds allocated specifically to West County are added in — to Programs 12 and 13 : the Contra Costa Transportation for Livable Communities and Pedestrian, Bicycle and Trail Facilities programs. Staff has been working with an ad hoc group of staff for the CC-TLC program, and the Countywide Bicycle and Pedestrian Advisory Committee for the PBTF program to develop guidelines and a process for allocating these revenues. Staff brought these proposed guidelines to the TCC on February 17, and incorporated the committee's recommendations as noted below.

Allocation of Funding: The projects receiving CC-TLC funds will be recommended by the RTPCs, while the projects receiving PBTF funds will be identified through a countywide call for projects. Staff proposes to program funds from both sources through program-specific Strategic Plans.

Estimated Funding Available: Based on the revenue estimates in for the most recent Strategic Plan update that the Authority adopted in February, about \$22.715.5 million will be available through the CC-TLC program through FY 14-15 and \$6.7-\$6.1 million through the PBTF program. These estimates include the additional revenues set aside in Programs 25b and 26b for TLC and PBTF projects in West County but exclude the amount already allocated to the El Cerrito Central Avenue/Liberty Street streetscape improvements. In addition, all of the CC-TLC funds available to East County through Measure J are already allocated to the eBART and the Bailey Road transit access projects. Staff also expects these estimates to higher than the Authority will actually receive.

Planning Committee STAFF REPORT

March 2, 2011

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Measure J Transportation for Livable Communities Program

Estimated Funding Available, FY 2011–2015

Total (Program 12) ¹	100%	\$14,353,445
less 1.5% administrative takedown	98.5%	\$14,138,144
Additional West County (Program 25b) ²	100%	\$1,403,325
less 1.5% administrative takedown	98.5%	\$1,382,275
Total Available Funding		\$15,520,419
<i>Subregional Shares (by 2009 population)</i>		
West ³	23.8%	\$6,037,776
Central	29.4%	\$5,741,600
East	27.6%	—
Southwest	19.1%	\$3,741,043

1 Excludes the East County share of CC-TLC funds are already allocated to the eBART and Bailey Road transit access projects

2 Excludes \$210,000 already allocated to the Central/Liberty streetscape improvements project

3 Includes funds from both Program 12 and Program 25b

Measure J Pedestrian, Bicycle and Trail Facilities Program

Estimated Funding Available, FY 2011–2015

Total (Program 13)	100%	\$6,050,169
less 1.5% administrative takedown	98.50%	\$5,959,417
Additional West County (Program 26b)	100%	\$161,293
less 1.5% administrative takedown	98.50%	\$158,873
<i>Share of Pedestrian, Bicycle and Trail Facilities Program Funds</i>		
Countywide Competitive Share	67%	\$3,972,944
EBRPD Share	33%	\$1,986,472
Additional West County		\$158,873

Eligible Projects: The two programs would fund similar, but not identical, types of projects:

1. The CC-TLC program will fund projects that would “encourage the use of alternatives to the single occupant vehicle such as: pedestrian, bicycle and streetscape facilities, traffic calming and transit access improvements.” These projects must either “(a) facilitate, support and/or catalyze developments, especially affordable housing, transit-oriented or mixed-use development, or (b) encourage the use of alternatives to the single

occupant vehicle and promote walking, bicycling and/or transit usage." Funds can be used for both planning and construction.

2. The PBTF program will fund "construction of pedestrian and bicycle facilities including regional trails throughout Contra Costa." Two-thirds of the funds are to complete projects in the Countywide Bicycle and Pedestrian Plan and the remaining third will be allocated to the EBRPD for developing or rehabilitating paved regional trails.

The CC-TLC eligibility restrictions also apply to projects funded with the additional West County CC-TLC funds. The additional West County PBTF funds, however, are not limited to projects in the CBPP and can be used for both trail, bicycle and pedestrian capital facilities, both construction and maintenance.

Eligible Sponsors: The CC-TLC explicitly limits eligible sponsors to:

1. Local jurisdictions that comply with the Measure J GMP "at the time a grant is approved by funding allocation by the Authority"¹ and
2. Transit agencies

The proposed PBTF guidelines limit sponsors to those public agencies that can fulfill the Authority's guidelines for implementing Measure J projects.

POLICY ISSUES

Staff has identified a number of issues that we hope the TCC will focus on. These issues are identified in the draft guidelines by the line — | — at the left hand side of the text block.

CC-TLC Program

Required Match. The CC-TLC working group recommended that, to ensure the commitment of sponsors to the plan or project proposed, a local match should be required as follows:

- Plans (specific plans, general plan amendments, etc.): and preliminary 20 percent of total project cost, which can be met, in whole or in part, through local staff time

¹ Measure J: Contra Costa's Transportation Sales Tax Expenditure Plan; November 2, 2004, as amended through July 15, 2009.

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- **Preliminary engineering/design:** 20 percent of total project cost, which can be met, in whole or in part, through local staff time
 - **Project Development and Construction:** 10 percent of total project cost, which can be met, in whole or in part, through local staff time

Minimum and Maximum Requests: The working group also suggested minimum and maximum requests. The draft guidelines include the following:

- **Plans and preliminary engineering/design:** \$75,000 to \$200,000
- **Project Development and Construction:** \$125,000 to the amount available for allocation by the RTPC

RTPC Treatment of Planning and Design Proposals: The draft guidelines would give the RTPCs the discretion to set aside up to 25 percent of the CC-TLC funds allocated to their subregion specifically for funding plans and design. Staff included this recommendation as a way of offsetting somewhat the bias towards actual construction in the proposed criteria.

Criteria: The draft guidelines propose nine criteria. The first six are taken directly from the six CC-TLC goals set in Measure J. The other three would be used to assess the readiness and feasibility of the proposed project, its consistency with locally adopted policies and the amount of local match above the minimum required.

PBTF Program

What Projects are in the CBPP? Measure J limits the countywide share of PBTF funds to those projects that are "in the Countywide Bicycle and Pedestrian Plan." The draft guidelines would define being in the CBPP as:

- Specifically listed in Appendix E, Local Bicycle and Pedestrian Projects, of the most recent CBPP as a bicycle, pedestrian or TLC project
- A bicycle project identified in Appendix D, Local Bicycle Networks, of the most recent CBPP as either an existing or proposed bicycle facility; while completion of *proposed* facilities are generally a higher priority, improvements to *existing* facilities may also be funded if they would significantly improve the usefulness of a facility
- A pedestrian project located in a priority location — pedestrian-oriented districts, routes to transit, and routes to other key activity centers — as described in the most recent CBPP

Minimum and Maximum Requests: The draft guidelines would set the following minimum and maximum requests:

-
- **Minimum request** of \$100,000
 - **Maximum request** of one-half of the available PBTF funds currently unprogrammed or \$2.5 million, whichever is greater

Application: Because it is a competitive countywide program with criteria for selecting projects established in the CBPP, the PBTF will need to use an application process through which sponsors describe their proposed project and demonstrate how well it meets both the criteria set in the CBPP and the Authority's policies for implementing projects.

TCC COMMENTS ON THE GUIDELINES

The TCC had several comments on the two sets of guidelines. Staff has tried to incorporate them into the drafts in Attachments A and B.

CC-TLC Guidelines

Simplify the application. To lessen the burden on local staff, the TCC suggested that the application be as simple as possible. TCC members did recognize that the application needs to provide enough information for RTPC and Authority to identify those projects that best meet the goals of the Measure J and its TLC program.

Recognize subregional differences. TCC members suggested that the guidelines should explicitly recognize that different RTPCs would emphasize different policy objectives.

Three- or Five-Year Programming Period. Measure J gave RTPCs the option of recommending either a three- or five-year program of CC-TLC funding. The purpose of this option was to allow the RTPCs to reserve funds for larger projects that would need funds from expected future revenues. To carry out this part of Measure J, the draft guidelines would allow to the RTPCs to hold two years of their share of the CC-TLC funds for programming in later funding cycles. The TCC asked that the guidelines be clarified on this point.

60 percent design. The draft guidelines required that any funding for project design go at least through the 60 percent design stage. The TCC asked that the guidelines clarify designing to the 60 percent stage is the minimum that the CC-TLC program would fund, but that the program could fund up to the completion of the design phase.

Set aside for plans. The TCC asked to clarify the proposed language allowing the RTPCs to set aside a portion of their share of CC-TLC funds exclusively for planning and design. Staff has tried

*Planning Committee STAFF REPORT**March 2, 2011**Page 7 of 8*

to clarify that RTPCs use a greater share of their CC-TLC funds than the maximum set aside for planning in the guidelines.

PBTF Guidelines

Normal accommodation. The draft guidelines propose that no PBTF funds can be used to fund a project that would primarily serve vehicular traffic, even if the project includes The TCC asked that the guidelines clarify what "normal accommodation" means in this context. Staff Authority staff has made changes to attempt to clarify this.

Other Comments

TCC members ~~suggested~~ recommended that the draft guidelines be sent to the City-County Engineers Advisory Committee for review as well as to the RTPCs. Staff Authority staff endorses having the CCEAC review the guidelines.

Staff TCC members also ~~suggests~~ recommended that the Authority incorporate site ~~review~~ visits into the process for evaluating ~~funding applications~~ for PBTF funding. Staff Authority staff is willing to consider ~~try to organize~~ such visits but recommends not including them in the guidelines themselves.

REVIEW PROCESS

The Authority is asking the Planning Committee to release the draft guidelines for the two programs for review by the RTPCs as well as the CCEAC. The deadline to submit comments on the guidelines would be April 22. The CBPAC and the CC-TLC working group will review the comments submitted and recommend the final proposed guidelines for the two programs. The PC would review the guidelines again in June with Authority approval later that month.

PLANNING COMMITTEE COMMENTS (new subsection)

The Planning Committee discussed several issues in depth.

- Why were the minimum and maximum request levels set at as proposed? Are they consistent with the range of requests that the Authority could reasonably be expected to receive? In particular, is the minimum proposed for design and engineering projects too high?

- Is there a way to be more objective in evaluating feasibility? Perhaps the Authority could require a sponsor that is not able to complete the project to pay back any Measure J funds received.
- The PC discussed, but didn't come to consensus on, whether letters of support from public organizations or individuals are relevant or useful in evaluating proposed projects.



CONTRA COSTA
**transportation
 authority**

COMMISSIONERS

March 16, 2011

David Durant, Chair

Don Tatzin,
 Vice Chair

Janet Abelson

Genoveva Calloway

Jim Frazier

Federal Glover

Dave Hudson

Karen Mitchoff

Julle Pierce

Karen Stepper

Robert Taylor

From: Randell H. Iwasaki, Executive Director

To: Regional Transportation Planning Committees and Transit Operators

Re: **Release of Draft Guidelines for the Measure J TLC and PBTF Program**

Measure J includes two programs — the Contra Costa Transportation for Livable Communities (CC-TLC) program and the Pedestrian, Bicycle and Trail Facilities (PBTF) program — and allocates 6.5 percent of the sales tax revenues received to them. (This share rises to 6.94 percent if the additional funds allocated specifically to West County for these two programs are included.) Working with an ad hoc group of staff for the CC-TLC program and the Countywide Bicycle and Pedestrian Advisory Committee for the PBTF program, staff has prepared draft guidelines and a process for allocating these revenues.

The Authority is releasing the draft guidelines for review and comment by the Regional Transportation Planning Committees (RTPCs), transit agencies and other agencies that could receive funding through these two programs. We would like your comments by April 22.

Randell H. Iwasaki,
 Executive Director

Basics of the Programs

ELIGIBLE PROJECTS

The two programs would fund similar, but not identical, types of projects:

- The **CC-TLC program** will fund projects that would “encourage the use of alternatives to the single occupant vehicle such as: pedestrian, bicycle and streetscape facilities; traffic calming and transit access improvements.” These projects must either “(a) facilitate, support and/or catalyze developments, especially affordable housing, transit-oriented or mixed-use development, or (b) encourage the use of alternatives to the single occupant vehicle and promote walking, bicycling and/or transit usage.” Funds can be used for both planning and construction. The West County-specific funds must also be allocated consistent with this direction.
- The **PBTF program** will fund “construction of pedestrian and bicycle facilities including regional trails throughout Contra Costa.” Two-thirds of the funds are to complete projects in the Countywide Bicycle and Pedestrian Plan (CBPP) and the remaining third will be allocated to the EBRPD for developing or rehabilitating paved

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regional trails. The additional West County funds are not limited to projects in the CBPP and can be used for both construction and maintenance.

ELIGIBLE SPONSORS

The CC-TLC program explicitly limits eligible sponsors to:

1. Local jurisdictions that comply with the Measure J GMP "at the time a grant is approved by funding allocation by the Authority" and
2. Transit agencies

The proposed PBTF program guidelines limit sponsors to those public agencies that can fulfill the Authority's guidelines for implementing Measure J projects.

ALLOCATION PROCESS

Both the CC-TLC or PBTF programs are "competitive". That is, potential recipients of funding through must compete against other potential recipients for the limited amount of funding available. The two programs differ, however, in who recommends how the funding is allocated. In the CC-TLC program, however, sponsors will apply to the RTPCs who will have a share of available funding to allocate to projects within their subregion.¹ The PBTF program, however, is "countywide competitive" and sponsors will apply directly to the Authority for funding. The Authority will use its Countywide Bicycle and Pedestrian Advisory Committee to review applications and make the initial funding recommendations. Recommended allocations for both programs must be consistent with the adopted program guidelines.

The draft guidelines outline an application for each of the programs. The applications would cover four subjects:

1. **Basic project information** including project name, sponsor contacts, requested funding, and potential phasing.
2. **Project description** including a description of project components, the need for the project, and its location and context.
3. **The ability to meet program criteria** including the feasibility and readiness of the project.
4. **Cost estimates and schedule.**

¹ East County will have no CC-TLC funding to allocate, however, since that funding has been previously allocated to the eBART and Bailey Road transit access projects.

Regional Transportation Planning Committees and Transit Operators

March 16, 2011

Page 3

Projects for the **CC-TLC program** will be selected on how well they further the six goals of the program outlined in Measure J as well as the project's feasibility, consistency with local policies, and the extent of matching funds provided. Projects for the **PBTf program** will be selected on how well they meet the criteria established in the most recent CBPP.

The Authority would use the recommendations from the RTPCs and the CBPAC to create the CC-TLC and PBTf components of the Measure J Strategic Plan. These two documents will component will build on the revenue estimates and implementation policies included in the Measure J Strategic Plan and outline the amounts programmed to each selected project by fiscal year. An appendix to each component will include a fact sheet describing each project funded through the programs.

Available Funding

The following two tables outline the estimated funding available for fiscal years 2011 through 2015. This programming period is the same as will be used in the updated Measure J Strategic Plan.

Measure J Transportation for Livable Communities Program

Estimated Funding Available, FY 2011–2015

Total (Program 12) ¹	100%	\$14,353,445
less 1.5% administrative takedown	98.5%	\$14,138,144
Additional West County (Program 25b) ²	100%	\$1,403,325
less 1.5% administrative takedown	98.5%	\$1,382,275
Total Available Funding		\$15,520,419

Subregional Shares (by 2009 population)

West ³	23.8%	\$6,034,626
Central	29.4%	\$5,741,600
East	27.6%	---
Southwest	19.1%	\$3,741,043

1 Excludes the East County share of CC-TLC funds are already allocated to the eBART and Bailey Road transit access projects

2 Excludes \$210,000 already allocated to the Central/Liberty streetscape improvements project

3 Includes funds from both Program 12 and Program 25b

*Measure J Pedestrian, Bicycle and Trail Facilities Program***Estimated Funding Available, FY 2011–2015**

Total (Program 13)	100%	\$6,050,169
less 1.5% administrative takedown	98.50%	\$5,959,417
Additional West County (Program 26b)	100%	\$161,293
less 1.5% administrative takedown	98.50%	\$158,873
<i>Share of Pedestrian, Bicycle and Trail Facilities Program Funds</i>		
Countywide Competitive Share	67%	\$3,972,944
EBRPD Share	33%	\$1,986,472
Additional West County		\$158,873

Policy Questions

The Authority would particularly like to get RTPC and agency comments on several issues.

MINIMUM AND MAXIMUM REQUESTS

The guidelines establish minimum and maximum levels of funding that sponsors can request for both programs. These minimums and maximums are intended to provide a reasonable range of funding levels so that useful projects can be funded but not so broad a range that the administrative costs of a large number of projects do not overwhelm Authority staff resources.

LOCAL MATCH

The proposed guidelines for the CC-TLC program (but not the PBTF program) would require a local match for any Measure J funds received. Such a requirement will show the commitment of project sponsors to the project.

DISCRETIONARY SET ASIDE FOR PLANS AND DESIGN

The proposed guidelines would allow the RTPCs to carve out up to 25 percent of their share of CC-TLC funds exclusively for funding plans or preliminary engineering and design. (The guidelines, however, would allow RTPCs to allocate more than 25 percent of their share to plans and design, but not to set aside more than 25 percent *exclusively* for those purposes.)

Regional Transportation Planning Committees and Transit Operators
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FEASIBILITY

The Planning Committee was concerned that the feasibility criterion be as objective as possible. One suggestion, which is not in the guidelines as currently written, would be to require that any sponsor unable to complete the project for which Measure J funds were allocated return those funds for programming to other projects.



CONTRA COSTA
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March 18, 2011

From: Randell H. Iwasaki, Executive Director *MRE for*

To: Regional Transportation Planning Committees and Transit Operators

Re: **Release of Draft Guidelines for the Measure J TLC and PBTF Program**

Measure J includes two programs — the Contra Costa Transportation for Livable Communities (CC-TLC) program and the Pedestrian, Bicycle and Trail Facilities (PBTF) program — and allocates 6.5 percent of the sales tax revenues received to them. (This share rises to 6.94 percent if the additional funds allocated specifically to West County for these two programs are included.) Working with an ad hoc group of staff for the CC-TLC program and the Countywide Bicycle and Pedestrian Advisory Committee (CBPAC) for the PBTF program, Authority staff has prepared draft guidelines and a process for allocating these revenues.

The Authority is releasing the draft guidelines for both programs (attached) for review and comment by the Regional Transportation Planning Committees (RTPCs), transit agencies and other agencies that could receive funding through these two programs. We would like your comments by April 22, 2011.

Basics of the Programs

ELIGIBLE PROJECTS

The two programs would fund similar, but not identical, types of projects:

- The **CC-TLC program** will fund projects that would “encourage the use of alternatives to the single occupant vehicle such as: pedestrian, bicycle and streetscape facilities, traffic calming and transit access improvements.” These projects must either “(a) facilitate, support and/or catalyze developments, especially affordable housing, transit-oriented or mixed-use development, or (b) encourage the use of alternatives to the single occupant vehicle and promote walking, bicycling and/or transit usage.” Funds can be used for both planning and construction. The West County-specific funds must also be allocated consistent with this direction.
- The **PBTF program** will fund “construction of pedestrian and bicycle facilities including regional trails throughout Contra Costa.” Two-thirds of the funds are to complete projects in the Countywide Bicycle and Pedestrian Plan (CBPP) and the remaining third will be allocated to the EBRPD for developing or rehabilitating paved

Regional Transportation Planning Committees and Transit Operators

March 18, 2011

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regional trails. The additional West County funds are not limited to projects in the CBPP and can be used for both construction and maintenance.

ELIGIBLE SPONSORS

The CC-TLC program explicitly limits eligible sponsors to:

1. Local jurisdictions that comply with the Measure J GMP "at the time a grant is approved by funding allocation by the Authority" and
2. Transit agencies

The proposed PBTf program guidelines limit sponsors to those public agencies that can fulfill the Authority's guidelines for implementing Measure J projects.

ALLOCATION PROCESS

Both the CC-TLC or PBTf programs are "competitive" meaning that applicants for funding must compete against other potential recipients for the limited amount of funding available. The two programs differ, however, in who recommends how the funding is allocated. In the **CC-TLC program**, sponsors will apply to the RTPCs who recommend how to allocate their share of available funding to projects within their subregion.¹ The **PBTf program**, however, is "countywide competitive" and sponsors will apply directly to the Authority for funding. The Authority will use its CBPAC to review applications and make the initial funding recommendations. Recommended allocations for both programs must be consistent with the adopted program guidelines.

The draft guidelines outline an application for each of the programs. The applications would cover four subjects:

1. **Basic project information** including project name, sponsor contacts, requested funding, and potential phasing.
2. **Project description** including a description of project components, the need for the project, and its location and context.
3. **The ability to meet program criteria** including the feasibility and readiness of the project.
4. **Cost estimates and schedule.**

¹ East County will have no CC-TLC funding to allocate, however, since that funding has been previously allocated to the eBART and Bailey Road transit access projects.

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March 18, 2011

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Projects for the **CC-TLC program** will be selected on how well they further the six goals of the program outlined in Measure J as well as the project's feasibility, consistency with local policies, and the extent of matching funds provided. Projects for the **PBTF program** will be selected on how well they meet the criteria established in the most recent CBPP.

The Authority will consider the recommendations from the RTPCs and the CBPAC to create the CC-TLC and PBTF components of the Measure J Strategic Plan. These two documents will build on the revenue estimates and implementation policies included in the Measure J Strategic Plan and outline the amounts programmed to each selected project by fiscal year. An appendix to each component will include a fact sheet describing each project funded through the programs.

Available Funding

The following two tables outline the estimated funding available for fiscal years 2011 through 2015. This programming period is the same as will be used in the updated Measure J Strategic Plan.

Measure J Transportation for Livable Communities Program

Estimated Funding Available, FY 2011-2015

Total (Program 12) ¹	100%	\$14,353,445
less 1.5% administrative cost	98.5%	\$14,138,144
Additional West County (Program 25b) ²	100%	\$1,403,325
less 1.5% administrative cost	98.5%	\$1,382,275
Total CC-TLC Funding Available		\$15,520,419

Subregional Shares (by 2009 population)

West ³	23.8%	\$6,034,626
Central	29.4%	\$5,741,600
East	27.6%	—
Southwest	19.1%	\$3,741,043

1 Excludes the East County share of CC-TLC funds are already allocated to the eBART and Bailey Road transit access projects

2 Excludes \$210,000 already allocated to the Central/Liberty streetscape improvements project

3 Includes funds from both Program 12 and Program 25b

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March 18, 2011
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Measure J Pedestrian, Bicycle and Trail Facilities Program

Estimated Funding Available, FY 2011-2015

Total (Program 13)	100%	\$6,050,169
less 1.5% administrative cost	98.50%	\$5,959,417
Additional West County (Program 26b)	100%	\$161,293
less 1.5% administrative cost	98.50%	\$158,873
<i>Share of Pedestrian, Bicycle and Trail Facilities Program Funds</i>		
Countywide Competitive Share	67%	\$3,972,944
EBRPD Share	33%	\$1,986,472
Additional West County Share		\$158,873

Policy Questions

The Authority would particularly like to get RTPC and agency comments on several issues.

MINIMUM AND MAXIMUM REQUESTS

The guidelines establish minimum and maximum levels of funding that sponsors can request for both programs. These minimums and maximums are intended to provide a reasonable range of funding levels so that useful projects can be funded but not so broad a range that the administrative costs of a large number of projects do not overwhelm Authority staff resources.

LOCAL MATCH

The proposed guidelines for the CC-TLC program (but not the PBTF program) would require a local match for any Measure J funds received. Such a requirement will show the commitment of project sponsors to the project.

DISCRETIONARY SET ASIDE FOR PLANS AND DESIGN

The proposed guidelines would allow the RTPCs to carve out up to 25 percent of their share of CC-TLC funds exclusively for funding plans or preliminary engineering and design. (The guidelines, however, would allow RTPCs to allocate more than 25 percent of their share to plans and design, but not to set aside more than 25 percent *exclusively* for those purposes.)

FEASIBILITY

The Planning Committee was concerned that the feasibility criterion be as objective as possible. One suggestion, which is not in the guidelines as currently written, would be to require that any sponsor that is unable to complete the project for which Measure J funds were allocated return those funds for programming to other projects.

cc: Jim Townsend, East Bay Regional Park District

file: 13.01.01.01
13.01.02.01

DRAFT

18 March 2011

MEASURE J TRANSPORTATION FOR LIVABLE COMMUNITIES (CC-TLC) PROGRAM

Program Guidelines

Identified policy questions are shown by the gray bar at the left of the text block

Background

The Measure J Transportation for Livable Communities (CC-TLC) program will fund plans and facilities that support walkable, mixed-use, transit-supportive communities or that encourage more walking, bicycling and transit use. Measure J allocates five percent of revenues received to program. (An additional 0.4 percent is set aside exclusively for eligible projects and sponsors in West County.)

CC-TLC GOALS

1. Help create walkable, pedestrian-friendly neighborhoods and business districts;
2. Promote innovative solutions, including compact building design and context-sensitive site planning that is integrated with the transportation system;
3. Help create walkable, pedestrian-friendly access linking housing and job centers to transit;
4. Help create affordable housing;
5. Encourage a mixture of land uses and support a community's development or redevelopment activities; and
6. Provide for a variety of transportation choices to enhance a community's mobility, identity, and quality of life.

What Projects and Sponsors Are Eligible?

The CC-TLC program will fund transportation improvements that either:

1. Facilitate, support or catalyze more compact, mixed-use development that includes affordable housing, and development that is pedestrian-friendly or integrated into transit networks, or
2. Encourage the use of alternatives to the single occupant vehicle and promote walking, bicycling and/or transit usage.

This type of development provides residents with a broad range of housing choices, easy access to public facilities, and alternatives to the use of the automobile for commuting, shopping or recreation.

The program will fund both plans and facilities.

ELIGIBLE PLANNING EFFORTS

The CC-TLC program can fund local planning efforts that are intended to lead to the development of compact, mixed-use, walkable and transit-supportive areas, especially those that include affordable housing. These efforts could include General Plan Amendments, Specific Plans and master plans consistent with the goals and objectives of the CC-TLC program.

ELIGIBLE PROJECTS

The following table lists projects that are eligible for CC-TLC funding. Additional improvements may be eligible but must help achieve the program's goals.

Bicycle Improvements	<ul style="list-style-type: none"> ▪ Multi-purpose (Class I) trails, Class II bike lanes and Class III bike routes including bicycle boulevards ▪ Class I overcrossings of roadways and waterways ▪ Bicycle parking ▪ Signage and wayfinding
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Pedestrian Improvements	<ul style="list-style-type: none"> ▪ New or upgraded sidewalks, crosswalks and pathways, including bulb-outs, mid-block crossings, and pedestrian refuges ▪ Public plazas ▪ Pedestrian-scaled wayfinding signage ▪ Street furniture and landscaping that comfort and attractiveness of pedestrian facilities, including pedestrian-scale lighting, bus shelters, tree grates, bollards, benches and street trees
Transit Improvements	<ul style="list-style-type: none"> ▪ Bus stops and shelters ▪ Improvements at transit stations that provide or improve pedestrian or bicycle access ▪ Signage for wayfinding, schedules and route maps
Other Eligible Improvements	<p>Other transportation improvements that support and are necessary for the development of compact, mixed-use, walkable districts, including but not limited to:</p> <ul style="list-style-type: none"> ▪ Roadway improvements that enhance traffic flow consistent with creating areas that encourage walking, bicycling and transit use and locally adopted plans and policies ▪ Traffic calming ▪ Signals that better accommodate pedestrians and bicyclists, including bike and pedestrian detection loops

INELIGIBLE PROJECTS AND PLANS

Any project that does not help achieve the goals of the CC-TLC program would not be eligible for CC-TLC funding. Ineligible projects include:

- Roadway or other transportation improvements that do not support compact, mixed-use development and workforce housing
- Roadway or other transportation improvements that detract from the walkability of the surrounding area
- Operations, including transit operations and bike stations whether or not the hardware necessary for these operations is eligible for funding
- Incentive programs including transit subsidies

*Draft Guidelines for the Measure J Transportation for Livable Communities Program**18 March 2011**Page 4***ELIGIBLE PHASES AND PROJECT COMPONENTS**

The CC-TLC program may be used to fund any project phase or component allowed in Exhibit E, Eligible Cost Guidelines for Measure J Funded Projects, with the following restrictions:

Plans

Sponsors may request CC-TLC funds specifically for the preparation of General Plan Amendments, Specific Plans and other plans intended to create more compact, walkable and transit-supportive districts. These plans must include policies, guidelines or standards for the creation of connected pedestrian or bicycle networks that serve adjoining land uses and transit networks. The CC-TLC program can be used to fund environmental clearance for an eligible planning effort.

The minimum request for plans is \$75,000 and the maximum is \$200,000. A twenty percent match is required, which can be met, in whole or in part, with contributions of staff time provided by the sponsor agency or agencies.

Preliminary Engineering and Design

Sponsors may request CC-TLC funds for the preliminary engineering and design phases of project development only and separate from project construction. CC-TLC funds may be used for all phases of project design but design must be completed at least through the 60 percent design phase. Environmental clearance may be funded as part of these phases.

The minimum request for plans is \$75,000 and the maximum is \$200,000. A twenty percent match is required, which can be met, in whole or in part, with contributions of staff time provided by the sponsor agency or agencies.

Projects

Sponsors may request CC-TLC funds for the design, development and construction of eligible projects from preliminary engineering through construction, consistent with Authority policies.

The minimum request for projects is \$125,000 and the maximum will equal the amount available for allocation by the RTPC. A ten percent match is required, which can be met, in whole or in part, with contributions of staff time provided by the sponsor agency or agencies.

ELIGIBLE SPONSORS

Measure J limits CC-TLC funding to two types of recipients:

1. Local jurisdictions that are in compliance with the Measure J Growth Management Program (GMP) at the time the grant is approved by the Authority, and
2. Transit agencies

Other project sponsors would be eligible for CC-TLC funding only if they partnered with a local jurisdiction or transit agency.

Selecting Projects

RTPC ROLE

Measure J gives the RTPCs the responsibility for reviewing applications for CC-TLC funding against the criteria in the CC-TLC guidelines and recommending which of those proposals are to be funded. It also requires the RTPCs to recommend projects "based on a three- or five-year funding cycle." The intent of this restriction was to allow the RTPCs to reserve some of their share of the CC-TLC funds until the next programming period so that the RTPC can fund a larger project. Building on that intent, these guidelines allow the RTPCs to allocate all of the funds available for the programming period or to reserve the funding available in the final two years of the programming period to be allocated in the next update of the CC-TLC component.

An RTPC, at its discretion, may set aside a share of the CC-TLC funds allocated to its subregion exclusively for developing plans or preliminary engineering and design. This share may not exceed 25 percent of the total available in any one programming period for that RTPC. An RTPC may, however, recommend allocating more than 25 percent of the funds available during any programming period to fund plans or preliminary engineering and design.

CRITERIA

1. To what extent would the project meet the six goals of the TLC program?
2. Is the project feasible and ready to implement within the time frame proposed, that is, has the sponsor completed earlier project stages?
3. Is the project consistent with locally adopted policies?
4. Does the project leverage the requested CC-TLC funding, that is, to what extent will the sponsor commit other funds to implement the project beyond the minimum required

Scoring

The emphasis in the review and ranking is on how well the proposed projects would help realize the six goals of the CC-TLC program. Proposed projects that are part of an adopted plan or would fill in and connect to an established pedestrian, bicycle, or transit network shall be given greater weight in scoring.

APPLICATION

The application form for the CC-TLC program will ask applicants to provide the following information:

1. Project information (name of project, sponsor, contact information and a summary of the requested funding)
2. Project description, including location map and design
3. Ability to meet criteria
4. Proposed funding program, including other funding sources
5. Cost estimation by item

The details of the proposed application are outlined in Exhibit A.

Programming of CC-TLC Funds

The Authority will program the CC-TLC funds through the *Transportation for Livable Communities Component of the Measure J Strategic Plan*. The CC-TLC component will build on the revenue estimates and implementation policies included in the Measure J Strategic Plan. It will contain:

1. **Introduction** describing the purpose and contents of the plan
2. **The CC-TLC Program** describing what Measure J says and providing an overview of how the program is defined in Measure J and the kinds of projects that it would fund
3. **Goals and Policies:**
 - a. Goals and policies from Measure J Strategic Plan that would affect the allocation of CC-TLC funds
 - b. Goals and policies that would apply specifically to the CC-TLC, including the criteria used to select projects and project development requirements
4. **Funding:** Estimated amount of CC-TLC funding available during the allocation period based on adopted estimates from the Measure J Strategic Plan.
5. **Programming of Funds:** Matrix of projects recommending for funding through the CC-TLC program and funding allocated by fiscal year. The CC-TLC component will track the shares of these funds that are allocated among the four subregions, consistent with the requirements of Measure J.

6. **Project Fact Sheets:** Descriptions of each plan or project to be funded through the CC-TLC program comparable to the project fact sheets in the Measure J Strategic Plan.

PROGRAMMING PERIOD AND UPDATE SCHEDULE

Programming Period and Update Schedule

The CC-TLC component will use the same programming period used in the Measure J Strategic Plan. This period corresponds to the five-year programming period for CC-TLC set in Measure J. A RTPC may choose to hold up to two years of its share of CC-TLC funds in reserve to be programmed in subsequent updates of the CC-TLC component. This is consistent with the Measure J provision that allows each RTPC the option of setting a three-year allocation of its share of these funds.

The Authority will update the CC-TLC component as part of or as soon as possible after the updating of the funding estimates in the Measure J Strategic Plan or every two years, whichever is greater.

Exhibit A

Application Outline

Measure J Transportation for Livable Communities (CC-TLC) Program Funds

1. PROJECT INFORMATION

- a. Project Name
- b. Project Location
- c. Sponsor
- d. Implementing agency (if different than sponsor)
- e. Partner agencies (only if they would play a substantial role in implementing the proposed project)
- f. Contact for project
- g. Funding
 - i. Total project cost
 - ii. Committed funding
 - iii. Requested CC-TLC funds
 - iv. Unfunded balance
- h. Potential phasing (the applicant will be asked to identify project components that could be eliminated if insufficient funding is available to fund the full project)

2. PROJECT DESCRIPTION

- a. Short Description
- b. Long Description, including purpose and issues addressed
- c. Attachments (location map, design)
- d. Maintenance and Operation: describe the agencies responsible for operating and maintaining the facility and resources to be assigned for that purpose

3. ABILITY TO MEET CRITERIA

- a. **Achievement of CC-TLC Goals:** Describe how well the proposed project achieves the six goals of the CC_TLC program

- i. Help create walkable, pedestrian-friendly neighborhoods and business districts
 - ii. Promote innovative solutions, including compact building design and context-sensitive site planning that is integrated with the transportation system
 - iii. Help create walkable, pedestrian-friendly access linking housing and job centers to transit
 - iv. Help create affordable housing
 - v. Encourage a mixture of land uses and support a community's development or redevelopment activities
 - vi. Provide for a variety of transportation choices to enhance a community's mobility, identity, and quality of life
- b. **Feasibility:** describe where the sponsor is in the project development process — design, environmental clearance, right-of-way purchase, and PS&E — and any outstanding issues
 - c. **Local and policy support:** identify policies in local plans that support the projects, the integration of the project with other local efforts, and other support from the general public, the RTPCs and other relevant agencies
 - d. **Matching funds:** identify funds from other sources that are or would be committed to the project

4. COST ESTIMATES

- a. Proposed funding plan: fill in matrix of committed and requested PBTF funding by phase and fiscal year
- b. Preliminary cost estimates: itemize costs of project components in the estimated project cost
- c. Proposed schedule: identify milestone dates for project development

DRAFT

18 March 2011

MEASURE J PEDESTRIAN, BICYCLE AND TRAIL FACILITIES (PBTF) PROGRAM

Program Guidelines

Identified policy questions are shown by the gray bar at the left of the text block

Background

Measure J sets aside 1.54 percent of sales tax revenues to fund the Pedestrian, Bicycle and Trail Facilities (PBTF) program. These revenues will fund the “construction of pedestrian and bicycle facilities including regional trails throughout Contra Costa.” The program has three components:

1. **Countywide Share:** One percent will go to “complete projects in the Countywide Bicycle and Pedestrian Plan” (CBPP)
2. **EBRPD Share:** One-half percent will go the East Bay Regional Park District (EBRPD) for the “development and rehabilitation of paved regional trails”
3. **West County Share:** The remaining 0.04 percent will go exclusively for “additional trail/pedestrian/bicycle capital projects, and/or facility maintenance in West County”

The selection of projects to be funded will differ among the three programs but the allocation of funding to those projects for all three will be outlined in the Pedestrian, Bicycle and Trail Facilities component of the Measure J Strategic Plan.

Draft Guidelines for the Measure J Pedestrian, Bicycle and Trail Facilities (PBTF) Program
 18 March 2011
 Page 2

Overall Policies

ELIGIBLE SPONSORS

Public agencies that are able to carry out eligible projects including their design, the purchase of right-of-way, requesting bids and constructing the project consistent with the Authority's policies including Resolution 08-13, *Implementation of Measure J Projects Policy* are eligible to receive PBTF funds

ELIGIBLE PROJECTS

Measure J restricts use of PBTF funds to pedestrian and bicycle facilities, including regional trails, either their construction or their maintenance, although maintenance may not be funded with the Countywide Share.

Countywide Share

ELIGIBLE SPONSORS

Any sponsor that can complete a project identified in the Countywide Bicycle and Pedestrian Plan and is eligible to receive Measure J funds can apply for and receive funding through the Countywide Share portion of the PBTF program.

ELIGIBLE PROJECTS

The countywide share of PBTF funds may be used to fund *facilities* that support and encourage walking or bicycling and that identified in the *Countywide Bicycle and Pedestrian Plan*.

Funds from the countywide share can only be used to fund the bicycle or pedestrian portion of a roadway improvement primarily design for vehicular movement and only if the bicycle and pedestrian improvements go beyond normal accommodation. A project would go beyond "normal accommodation" if the bicycle or pedestrian facilities exceed the agency's adopted standards for the facility on which the improvement is proposed to made. This approach is consistent with Measure J which states that "where it is appropriate, routine accommodation for pedestrians and bicyclists should be incorporated in construction projects funded from...other categories."

What Projects are in the CBPP?

To be considered "in the *Countywide Bicycle and Pedestrian Plan*", a proposed project must be:

- Specifically listed in Appendix E, Local Bicycle and Pedestrian Projects, of the most recent CBPP as a bicycle, pedestrian or TLC project
- A bicycle project identified in Appendix D, Local Bicycle Networks, of the most recent CBPP as either an existing or proposed bicycle facility; while completion of *proposed* facilities are generally a higher priority, improvements to *existing* facilities may also be funded if they would significantly improve the usefulness of a facility
- A pedestrian project located in a priority location — pedestrian-oriented districts, routes to transit, and routes to other key activity centers — as described in the most recent CBPP

Eligible Project Phases

PBTF funds may be used to fund all phases of a project, including design, right-of-way and construction.

Minimum and Maximum Requests

The **minimum request** of PBTF funds is \$100,000. Setting a minimum request will help limiting the cost of project oversight. This amount is consistent with the minimum amounts of bicycle and trail projects funded through Measure C.

To meet the minimum request, project sponsors combine similar projects at different locations within the jurisdiction of the sponsor into a single application. That is, the components of a project need not be contiguous but must be the same type of improvement.

The **maximum request** is one-half of the available PBTF funds currently unprogrammed or \$2.5 million, whichever is greater, through the Strategic Plan.

INELIGIBLE PROJECTS

The PBTF program can fund only those projects that directly serve pedestrians and bicyclists; no other types of projects may be funded through this program. For example, while projects that making walking or bicycling to connect to transit safer and more convenient are eligible, projects that improve transit operations are not. Similarly, if the purpose of the project is primarily to improve vehicular movement, the project would not be eligible for PBTF funds. In addition, the PBTF program will not fund:

- Planning studies (for example, the development of pedestrian plans or alignment studies),
- Operations (for example, the operation of a bike stations) are eligible for these funds, or
- Maintenance of facilities.

East Bay Regional Park District Share

ELIGIBLE SPONSORS

Only the East Bay Regional Park District is eligible for this portion of the PBTF funds.

ELIGIBLE PROJECTS

The funding available to the EBRPD through half-percent portion of the PBTF program must be spent on the improvement or maintenance of paved regional trails. Eligible projects could include improving and maintaining the trails themselves, trail crossings, lighting and signage.

MAINTENANCE OF EFFORT

[TBD]

FORMULA FOR DISTRIBUTING EBRPD FUNDS AMONG SUBREGIONS

Measure J requires that the half-percent EBRPD share of PBTF funds be spent “equally in each subregion”. The EBRPD shall use the formula used in Measure J to allocate funding to the four subregions — each subregion’s share of county population in the year 2020 — to determine subregional allocations. The EBRPD may adjust any of the subregional allocations by no more than five percent, subject to RTPC approval, to better match funding to the improvement or maintenance projects proposed. Any adjustments shall be considered in determining subregional allocations in each following PBTF component.

The subregional allocations shall be for the whole programming period, not for each programming year.

RTPC REVIEW AND APPROVAL

As part of the development and updating of the PBTF component to the Measure J Strategic Plan, the EBRPD shall develop a program of projects to develop or rehabilitate regional trails grouped by subregion. The EBRPD shall present this program of projects to each RTPC for its review. To be incorporated into the PBTF component, the projects proposed for a subregion must be approved by that subregion’s RTPC.

West County Share

The West Contra Costa Transportation Advisory Committee (WCCTAC) will recommend how the PBTF funds available through Program 26b, Additional Bicycle, Pedestrian and

Trail Facilities. Recommendations will be based on the criteria established in the most recent CBPP.

ELIGIBLE SPONSORS

Only sponsors that can legally bid and construct or maintain pedestrian, bicycle or trail facilities in West County are eligible for this portion of the PBTF funds.

ELIGIBLE PROJECTS

The 0.04 percent of Measure J funds available to West County may be allocated both to construct and maintain bicycle or pedestrian facilities and to maintain those types of facilities.

INELIGIBLE PROJECTS

The PBTF program can fund only those projects that directly serve pedestrians and bicyclists; no other types of projects may be funded through this program. For example, while projects that making walking or bicycling to connect to transit safer and more convenient are eligible, projects that improve transit operations are not. Similarly, if the purpose of the project is primarily to improve vehicular movement, the project would not be eligible for PBTF funds.

Project Selection

APPLICATION FOR PBTF FUNDING

Sponsors of projects asking for PBTF program funds must complete an application that provides detailed information on the project, including contacts, project description, cost estimates and funding plan, and an assessment of how well that project meets the criteria for selection.

The outline for the PBTF funding application is included as Exhibit A.

CRITERIA FOR SELECTING PROJECTS

The Countywide Bicycle and Pedestrian Advisory Committee (CBPAC) will review and rank project applications using the criteria established in the most recently adopted CBPP. The CBPAC and Authority may refine and clarify the criteria, including adjusting the weight of each criterion in the review process, as part of the preparation of each call for projects for the PBTF program funds. The criteria are included in Exhibit B, attached.

Programming of PBTF Funds

The Authority will program the PBTF funds through the *Pedestrian, Bicycle and Trail Facilities Component of the Measure J Strategic Plan*. The PBTF component will build on the revenue estimates and implementation policies included in the Measure J Strategic Plan as well as the policies in the most recent CBPP. It will contain:

1. **Introduction** describing the purpose and contents of the plan
2. **The PBTF Program** describing what Measure J says and providing an overview of how the program is defined in Measure J and the kinds of projects that it would fund
3. **Goals and Policies:**
 - a. Goals and policies from Measure J Strategic Plan that would affect the allocation of PBTF funds
 - b. Goals and policies that would apply specifically to the PBTF, including the criteria used to select projects and project development requirements
4. **Funding:** Estimated amount of PBTF funding available during the allocation period based on adopted estimates from the Measure J Strategic Plan.
5. **Programming of Funds:** Matrix of projects recommending for funding through the PBTF program and funding allocated by fiscal year. The PBTF component will track the EBRPD share to ensure that these funds are allocated equally among the four subregions, consistent with the requirements of Measure J.
6. **Project Fact Sheets:** Descriptions of each plan or project to be funded through the PBTF program comparable to the project fact sheets in the Measure J Strategic Plan

PROGRAMMING PERIOD AND UPDATE SCHEDULE

Programming Period

The PBTF funds will use the same programming period used in the Measure J Strategic Plan.

Update Schedule

The Authority will update the PBTF component as part of or following the updating of the funding estimates in the Measure J Strategic Plan or at least every two years, whichever is greater. It is also the Authority's intent to release the PBTF call for projects as part of or immediately following an update of the projects or policies of the CBPP.

Project Development

Project sponsors must comply with all Authority requirements for implementation of projects funded through Measure J, including the requirements of Resolution 08-13-P, Implementation of Measure J Projects Policy.

Exhibit A

Application Outline

Measure J Pedestrian, Bicycle and Trail Facilities (PBTF) Program Funds

1. PROJECT INFORMATION

- a. Project Name
- b. Project Location
- c. Sponsor
- d. Implementing agency (if different than sponsor)
- e. Partner agencies (only if they would play a substantial role in implementing the proposed project)
- f. Contact for project
- g. Funding
 - i. Total project cost
 - ii. Committed funding
 - iii. Requested PBTF funds
 - iv. Unfunded balance
- h. Potential phasing (the applicant will be asked to identify project components that could be eliminated if insufficient funding is available to fund the full project)

2. PROJECT DESCRIPTION

- a. Short Description
- b. Long Description, including purpose and issues addressed
- c. Attachments (location map, design, existing and planned bicycle or pedestrian facilities within the project area, and nearby destinations that would generate or attract walking or bicycling trips)
- d. Maintenance and Operation: describe the agencies responsible for operating and maintaining the facility and resources to be assigned for that purpose

3. ABILITY TO MEET CRITERIA

Criteria used will be those outlined in the most recent CBPP.

4. COST ESTIMATES

- a. Proposed funding plan: fill in matrix of committed and requested PBTF funding by phase and fiscal year
- b. Preliminary cost estimates: itemize costs of project components in the estimated project cost
- c. Proposed schedule: identify milestone dates for project development

Exhibit A

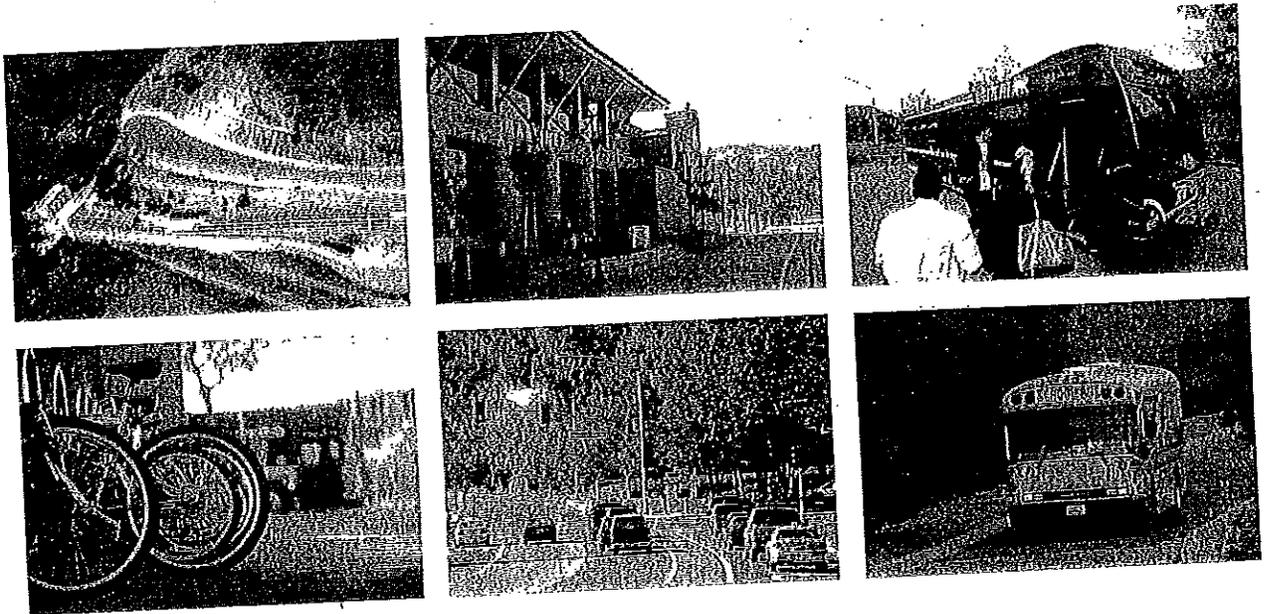
Criteria for Project Selection from Most Recent CBPP

10 February 2011

<i>Criteria</i>	<i>To what extent would the project...</i>	<i>Points</i>
Safety	Address a documented or commonly recognized safety deficiency, especially conflicts with motor vehicles	15
Range and number of users	Serve a wide range of users — children, transit riders, bicycle commuters, shoppers — and increase the number of pedestrians and bicyclists within the project area	15
Countywide or regional significance	Implement a project in a pedestrian priority location, on the countywide bicycle network or on the regional bicycle network designated by MTC	15
Destinations served	Be located near a larger number of destinations within normal walking and bicycling distance (one-half to three miles, respectively) of the project	15
Latent demand	Be more likely to generate walking and bicycling trips given other characteristics of the project area — e.g., greater population and employment density, mix of land uses, percentage of zero-vehicle households and relative lack of car parking	8
Improved connectivity	Eliminate gaps in existing pedestrian or bicycle facilities that the project, remove barriers to access that the project, and increase the directness or capacity of the bicycle/pedestrian network (including alternatives to trails that are closed overnight), especially where they facilitate connections to work, school or transit	8
Feasibility	Be able to complete the project development process — design, environmental clearance, right-of-way purchase, and PS&E — and resolve any outstanding issues	8
Local and policy support	Implement policies in local plans, integrate with other local efforts, and have support from the general public, the RTPCs and other relevant agencies	8
Matching funds	Leverage funds from other sources that are or would be committed to the project	8

Measure J

CONTRA COSTA'S TRANSPORTATION SALES TAX EXPENDITURE PLAN



Adopted November 2, 2004, as amended
through July 15, 2009

MEASURE J TRANSPORTATION SALES TAX EXPENDITURE PLAN

bicycling and/or transit usage. Typical investments include pedestrian, bicycle, and streetscape facilities, traffic calming and transit access improvements. Both planning grants and specific transportation capital projects may receive funding under this program.

Jurisdictions will be eligible for projects that meet the eligibility criteria only if they are in compliance with the GMP at the time a grant is approved for funding allocation by the Authority. Eligible projects will be recommended to the Authority by each subregion based on a three- or five-year funding cycle, at the option of the RTPCs. Subregional programming targets will be based on the relative population share of each in 2009, and adjusted every five years thereafter. Criteria are to include flexibility so that urban, suburban and rural communities can be eligible.

A summary of the Transportation for Livable Communities program is included in Part IV.

X 13

Pedestrian, Bicycle and Trail Facilities..... 1.5% (\$30 million)

Pedestrian, bicycle, and trail facilities, including regional trails are an important component of the regional transportation system. Two-thirds of the funds are to complete projects in the Countywide Bicycle and Pedestrian Plan. Consistent with the Bicycle Plan and the importance of bicycle and pedestrian facilities, other potential funding categories in this Plan for pedestrian/bicycle/trail facilities include: (a) Major Streets: Traffic Flow, Safety, and Capacity Improvements; (b) Safe Transportation for Children; (c) Local Streets and Road Maintenance; and (d) the Transportation for Livable Communities project grants. Moreover, where it is appropriate, routine accommodation for pedestrians and bicyclists should be incorporated in construction projects funded from these other categories.

One third of the funds are to be allocated to the East Bay Regional Park District (EBRPD) for the development and rehabilitation of paved regional trails. EBRPD is to spend its allocation equally in each subregion, subject to the review and approval of the applicable subregional committee, prior to funding allocation by the Authority. The Authority in conjunction with EBRPD will develop a maintenance-of-effort requirement for funds under this category.

Other Countywide Programs

The following programs will be available to fund countywide operational programs, based on a specific percentage of annual revenues received. With respect to transit operations (bus, transportation for seniors and people with disabilities, and express bus), the Authority will allocate funds on an annual basis and will establish guidelines (in cooperation with transit operators through the Bus Transit Coordinating Coun-

MEASURE J TRANSPORTATION SALES TAX EXPENDITURE PLAN

- Transit corridor improvements that address congestion and/or increase people throughput along the I-680 corridor.

9 *Richmond Parkway*..... \$16 million

Upgrade the Richmond Parkway to facilitate transfer of ownership to the California Department of Transportation, including potential intersection and interchange upgrades, and/or provide funds to maintain the roadway. The Richmond Parkway is the priority project for this funding; however, funds not expended for this project may be reprogrammed at the City of Richmond's request for Richmond ferry service.

Countywide Capital and Maintenance Programs

10 *BART Parking, Access, and Other Improvements*..... \$41 million

Construct improvements to BART such as additional parking, station access, capacity, safety and operational improvements. Projects funded by this category are subject to the review and approval of the applicable subregional committee, prior to funding allocation by the Authority.

11 *Local Streets Maintenance & Improvements*..... 18% (\$360 million)

Funds may be used for any transportation purpose eligible under the Act and to comply with the GMP requirements. This existing program will continue distributing 18 percent of the annual sales tax revenues to all local jurisdictions with a base allocation of \$100,000 for each, the balance to be distributed based 50 percent on relative population and 50 percent on road miles for each jurisdiction, subject to compliance with the Authority's revised GMP. Population figures used shall be the most current available from the State Department of Finance. Road mileage shall be from the most current State Controller's Annual Report of Financial Transactions for Streets and Roads. Pedestrian and bicycle facilities are an important part of the regional transportation system. Moreover, as appropriate, components for routine accommodation of bicycle and pedestrian travel shall be incorporated as part of construction projects.



12 *Transportation for Livable Communities Project Grants*..... 5% (\$100 million)

The CC-TLC Program is intended to support local efforts to achieve more compact, mixed-use development, and development that is pedestrian-friendly or linked into the overall transit system. The program will fund specific transportation projects that: (a) facilitate, support and/or catalyze developments, especially affordable housing, transit-oriented or mixed-use development, or (b) encourage the use of alternatives to the single occupant vehicle and promote walking,

SUMMARY OF THE CONTRA COSTA TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM

The Contra Costa Transportation for Livable Communities (CC-TLC) Program would fund transportation enhancement projects in urban, suburban and rural communities, would support a balanced transportation system, would foster the creation of affordable housing, and would help make Contra Costa's communities more pedestrian-, bicycle-, and transit-friendly.

The CC-TLC program is intended to support local efforts to achieve more compact, mixed-use development, and development that is pedestrian-friendly or integrated into transit networks. This type of development provides residents with a broad range of housing choices, easy access to public facilities, and alternatives to the use of the automobile for commuting, shopping or recreation. Finally, the CC-TLC program can strengthen existing communities through infill development and discourage the loss of open space and agricultural land on the urban fringe. These principles can be applied throughout Contra Costa, not only in existing urban areas but also in suburban and rural parts of the county.

CC-TLC Goals

The goals of the CC-TLC Program are to support transportation enhancement projects and planning that will:

- Help create walkable, pedestrian-friendly neighborhoods and business districts;
- Promote innovative solutions, including compact building design and context-sensitive site planning that is integrated with the transportation system;

- Help create walkable, pedestrian-friendly access linking housing and job centers to transit;
- Help create affordable housing;
- Encourage a mixture of land uses and support a community's development or redevelopment activities; and
- Provide for a variety of transportation choices to enhance a community's mobility, identity, and quality of life.

The CC-TLC Incentive Program can aid proponents of affordable or workforce housing projects that may need specific transportation improvements as a condition of project approval and would be expected to be a catalyst that might assist communities with infill and transit-oriented development.

To ensure that all jurisdictions can compete for the funds, project definitions include projects for urban, suburban, and rural land use types.

What Will the CC-TLC Incentive Program Fund?

The CC-TLC Incentive Program would fund both planning and capital grants. Planning grants would support development of community-oriented plans that link transportation investments with land-use decisions. Capital grants would fund transportation-related improvements, such as streetscapes, plazas and squares, transit access, parking and bicycle facilities, traffic calming programs and related infrastructure improvements. More specifically, incentive funds would be available for the planning and construction of the following types of transportation-related

infrastructure improvements to catalyze, facilitate or support projects that meet the CC-TLC program's goals:¹

- Local transit facilities
- Intersection improvements and pedestrian facilities
- Pedestrian plazas, walkways and other streetscape improvements that encourage walking
- Traffic calming measures
- Bicycle facilities

While sales tax funds cannot be used to directly fund housing, office, or commercial developments, as noted above, the program could fund the infrastructure necessary to support affordable housing and other development desired by local communities.

Program Funding

Funding would be allocated to the subregions and then distributed to individual, qualifying projects after Authority approval. It would not be allocated to local jurisdictions on an "as-of-right" formula basis. Funds available to the subregion for programming would be based upon the population of each subregion at the beginning of each five-year funding cycle.

Working with the RTPCs, the Authority would prepare guidelines and establish overall criteria for the program. The RTPCs would review project proposals and make funding recommendations to the Authority. The Authority review the recommendations of the RTPCs, and authorize expenditures through the Authority's Strategic Plan.

Preference would be given to projects that maximize transportation benefits linked to providing affordable housing near transit or in downtown areas. Details would be worked out by the RTPCs. The application process would be on a three- or five-year cycle, at the option of the RTPCs. Applications would only be accepted by the RTPCs from local jurisdictions or transit operators, and the RTPCs would forward recommended programs to the Authority. Non-profit corporations and other entities could also be eligible for transportation funding but would need a public sponsor.

Eligibility of Sponsors for Funds

Jurisdictions are eligible for CC-TLC funds if the Authority has found them in compliance with the GMP at the time of grant approval.

¹ The program is expected to emphasize investments that support program goals; however, where appropriate, a limited portion of the grants may be used for project-related betterments, such as undergrounding utilities.