

6. Review of CCTA's "Proposed Bylaws for Countywide Bicycle and Pedestrian Advisory Committee" (CBPAC)

Attachments:

- Current CBPAC roster;
- June 16, 2011 CCTA memo request for comments and Draft Bylaws for the CBPAC;
- Excerpt from the June 1, 2011 CCTA Planning Committee minutes;
- Excerpt from MTC's Resolution 875 (11/1980) which is referenced in the CCTA Planning Committee June 1, 2011 minutes

Countywide Bicycle and Pedestrian Plan Advisory Committee

Salute	FirstName	LastName	Appointing Group	Appointed As	Jurisdiction/Agency	Alter- rate	Phone	Fax	Email
Ms.	Nancy	Baer	Contra Costa County	Staff	Contra Costa County Community Wellness and Prevention Program	No	925 313 6837	925 313 6840	nbaer@hsd.co.contra-costa.ca.us
Mr.	Mike	Carlson	Contra Costa County	Staff	Contra Costa County Public Works	Yes	925-313-2321		MCarl@pw.cccounty.us
Mr.	John	Cunningham	Contra Costa County	Staff	Contra Costa County Community Development	No	925-335-1243		jcunn@cd.cccounty.us
Ms.	Andy	Dillard	SWAT	Staff	Danville	No	925 314-3384	(925) 838-0797	adillard@ci.danville.ca.us
Mr.	David	Favello	TRANSPAC	Citizen	Citizen	No	925 939 9462		davevelo@mac.com
Mr.	John	Fazel	SWAT	Citizen		No	925 324 2017	925 253 0381	Runmnts@Prodigy.net
Ms.	Leah	Greenblat	SWAT	Staff	Lafayette	Yes	925 299-3229	(925) 284-3169	lgreenblat@ci.lafayette.ca.us
Mr.	Craig	Hagelin	EBBC	Representative	Citizen	No			chagelin@astound.net
Mr.	Jeremy	Lochirco	TRANSPAC	Staff	Walnut Creek	No	925 943-5899 ext. 251	925 256 3565	Lochirco@walnut-creek.org
Mr.	Bruce	Ohlson	TRANSPLAN	Citizen	Citizen	No	925 439-5848		bruceohlson@hotmail.com
Mr.	Nina	Oshinsky	TRANSPLAN	Staff	Antioch	Yes			noshinsky@ci.antioch.ca.us
Ms.	Joanna	Pallock	WCCTAC	Staff	WCCTAC	No	510-215-3053		joannap@ci.san-pablo.ca.us
Mr.	Jerry	Rasmussen	WCCTAC	Citizen	Citizen	No	510 237 9824	NA	jercatras@dslexreme.com
Mr.	Paul	Reinders	TRANSPLAN	Staff	Pittsburg	No	925 252 4822	925 252 4814	preinders@ci.pittsburg.ca.us
Mr.	John	Rudolph	WCCTAC	Staff	WCCTAC	Yes	510 215 3042	510 235 7059	johnr@ci.san-pablo.ca.us
Mr.	Jim	Townsend	EBRPD	Staff	East Bay Regional Parks District	No	510 544-2609	(510) 569-1417	jtownsend@ebparks.org

SEND EMAIL NOTIFICATIONS - NOT CBPAC MEMBERS

Ms.	Brooke	Dubose	Consultant	Consultant	Fehr and Peers, Inc.	NA	415-348-0300	415-773-1790	b.dubose@fehrandpeers.com
Mr.	Robert	Guerrero	Adjoining Agency	Staff	Solano Transportation Authority	NA	(707) 424-6075 x213	(707) 424-6074	rguerrero@sta-snci.com
Ms.	Matthew	Ridgway	Consultant	Consultant	Fehr and Peers, Inc.	NA	415-348-0300		m.ridgway@fehrandpeers.com
Ms.	Diane	Stark	Adjoining Agency	Staff	Alameda County CMA	No	510-836-2560		dstar@accma.ca.gov
Ms.	Beth	Walukas	Adjoining Agency	Staff	Alameda County CMA	NA	510-836-2560 x 26		bwalukas@accma.ca.gov
Ms.	Rochelle	Wheeler	Adjoining Agency	Staff	Alameda County Transportation Improvement	NA	510-267-6121	510-893-6489	rwheeler@ACTIA2022.com



CONTRA COSTA
**transportation
 authority**

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 Executive Director

MEMORANDUM

Date June 16, 2011

To RTPCs and Other Appointing Organizations

From Brad Beck

RE Draft By-Laws for Countywide Bicycle and Pedestrian Advisory Committee

The Authority established the Countywide Bicycle and Pedestrian Advisory Committee (CBPAC) in 2001 for a single purpose: to oversee the development of the first *Contra Costa Countywide Bicycle and Pedestrian Plan (CBPP)*, adopted in 2003. Since that time, however, the CBPAC has taken on additional roles: recommending how to allocate funding, reviewing complete streets checklists for projects applying for funds available through MTC, overseeing the 2009 CBPP and advising the Authority on other pedestrian and bicycle issues.

CBPAC members have asked that the Authority formalize the structure and procedures of the committee and have developed proposed by-laws (attached) for Authority approval. The Authority has asked staff to transmit the proposed CBPAC by-laws to the Regional Transportation Planning Committees for review and comment. We are sending the proposed by-laws to the other organizations that appoint CBPAC members for their comments as well.

We would like your comments by July 22, if possible, so that we can bring them to the CBPAC for discussion at its July 25 meeting.

Authority staff is available to meet with you to discuss the proposed by-laws and the CBPAC's role in the Authority's responsibilities. Please contact me by phone (925 256-4726) or email (bbeck@ccta.net) if you have any questions or need additional information.

ISSUES AND DISCUSSION

CBPAC ROLES

The primary purpose of the CBPAC has been and would continue to be to advise the Authority on bicycle and pedestrian issues and to help the Authority carry out its responsibilities as a sales tax and congestion management agency. As outlined in the by-laws, the committee would:

1. Oversee the development and updating of the CBPP
2. Make recommendations on allocating funding for bicycle and pedestrian improvements
3. Review complete streets checklists that recipients of federal funds must complete
4. Advise the Authority on other pedestrian and bicycle issues in Contra Costa

CBPP — The CBPAC has overseen the development of both the 2003 and 2009 CBPPs and would, under the proposed by-laws, oversee the development of any subsequent updates.

Funding — The CBPAC has already reviewed and recommended funding allocations through various programs since it was formed in 2001. These have included allocating STIP, STIP-TE and Regional Bicycle Program funding. Staff expects the CBPAC to review applications and recommend funding allocations for Measure J Pedestrian, Bicycle and Trail Facilities funds.

Complete Streets Checklists — In June 2006, the Metropolitan Transportation Commission adopted Resolution 3765 which, among other things, required sponsors of projects seeking funding through MTC programs to fill out a complete streets checklist for each of their projects. Each CMA's countywide Bicycle / Pedestrian Advisory Committees (BPACs) — in this case, the CBPAC — would be responsible for reviewing the reported accommodations.

Other Bike-Pedestrian Issues — The 2009 CBPP identified a number of implementation tasks that the CBPAC would likely be involved in, including improving wayfinding in Contra Costa and supporting MTC's BikeMapper effort.

CBPAC MAKE-UP

Most countywide bicycle-pedestrian committees in the Bay Area are entirely composed of citizens. The Authority's CBPAC is different in that it is made up of both citizens and

*RTPCs and Other Appointing Organizations**June 16, 2011**Page 3*

staff. This reflects the committee's beginnings as the overseers of the first CBPP, an effort that the Authority felt needed the perspectives of both groups. Currently, the CBPAC is made up of:

- One citizen and one staff appointed by each RTPC
- Two staff appointed by the County
- One member appointed by the East Bay Bicycle Coalition
- One member appointed by the East Bay Regional Park District
- One member appointed by the City-County Engineers Advisory Committee

Altogether, five of the 13 members of the CBPAC are citizens and eight staff.

This mix of citizens and staff has the advantage of providing a breadth of experience and knowledge that a committee made up entirely of one group or the other would not. Besides making meetings more difficult to schedule, this mix may dilute the user perspective in committee discussions. As noted above, one of the CBPAC roles is to serve as the Authority's bicycle advisory committee (BAC) under MTC's Resolutions 875 and 3765. Resolution 875 outlines the requirements for BACs, which include the requirement that they include at least five members who live or reside in the county and that it is MTC's intent that the BAC "be composed of bicyclists/pedestrians." Despite the mixed character of the committee, MTC staff has previously approved the Authority's CBPAC as meeting MTC's requirements for BACs.

THE PROPOSED BY-LAWS

The proposed by-laws, which are based on the by-laws for the Authority's Citizen Advisory Committee (CAC), formalize some existing aspects of the CBPAC's organization and add new ones. The by-laws, for example, keep the existing make-up and appointing organizations but add terms of appointment, the election of chair and vice-chair, regular meeting dates and provisions for when voting would be used.

As part of the approval of the by-laws, the Authority would ask nominating agencies and groups to make new appointments to the CBPAC or confirm their existing appointments.

TCC Comments

The Authority's Technical Coordinating Committee (TCC) reviewed the proposed CBPAC by-laws at its May meeting and recommended that the membership of the committee be expanded as follows:

*RTPCs and Other Appointing Organizations**June 16, 2011**Page 4*

- Change the County appointees to include three staff, one from engineering, one from planning, and one from public health plus one alternate
- Add one transit representative appointed by the Authority's Bus Transit Coordinating Committee

Previously the CBPAC had discussed adding two representatives, one from Transform and one from 511 Contra Costa, because of their involvement and interest in bicycling and pedestrian issues. Ultimately, the CBPAC decided against adding members to the committee.

Planning Committee Comments

The Authority's Planning Committee supported requiring that citizen appointees should either reside in or work in Contra Costa, with a preference for Contra Costa residency. The PC also directed staff to forward the Bylaws to the RTPCs for their review and comments and then to forward both the PC and RTPC comments to the CBPAC for review and incorporation into the Bylaws. The proposed Bylaws are then to be brought back to the PC and Authority for adoption.



BY-LAWS

Countywide Bicycle and Pedestrian Advisory Committee

These by-laws outline the purpose, membership, responsibilities, and operating procedures of the Contra Costa Countywide Bicycle and Pedestrian Advisory Committee (herein "CBPAC") of the Contra Costa Transportation Authority (the "Authority").

1. Name and Authorization

The name of this organization shall be the Contra Costa Countywide Bicycle and Pedestrian Advisory Committee (CBPAC).

2. Purpose

- 2.1. The purpose of the CBPAC is to advise the Authority on bicycle and pedestrian issues and to help the Authority carry out its responsibilities as a sales tax and congestion management agency.
- 2.2. The CBPAC shall have the responsibility to:
 - 2.2.1. Oversee updates to the CBPP and other Authority policy documents and help implement the policies established therein
 - 2.2.2. Review and provide recommendations on applications for funding for bicycle and pedestrian projects and programs
 - 2.2.3. Review and comment on "complete streets" checklists required of proposed projects
 - 2.2.4. Address other bicycle or pedestrian issues facing the Authority, Contra Costa and the region

By-Laws — DRAFT

Countywide Bicycle and Pedestrian Advisory Committee

Page 2

3. Membership

- 3.1. The CBPAC shall be comprised of 13 members, plus alternates as noted, appointed from the following agencies:
 - 3.1.1. One citizen and one staff person plus one alternate appointed by each of the four Regional Transportation Planning Committees
 - 3.1.2. Two staff people plus one alternate appointed by the County of Contra Costa
 - 3.1.3. One representative plus one alternate appointed by the East Bay Regional Park District
 - 3.1.4. One representative plus one alternate appointed by the East Bay Bicycle Coalition
 - 3.1.5. One representative plus one alternate appointed by the City-County Engineers Advisory Committee
- 3.2. Members shall not serve in a representative capacity with respect to their appointing authorities or any specific organization.
- 3.3. At the discretion of the respective appointing body, CBPAC members are subject to recall at anytime.
- 3.4. Members shall be appointed for two year terms. There shall be no limit on the number of consecutive terms which a member may serve.
- 3.5. If a member fails to attend three consecutive meetings, whether regularly scheduled or special, the position to which that member was appointed shall be considered vacant. Attendance by an alternate for that position shall be considered attendance by the member.
- 3.6. A vacancy in a position shall be filled for the remainder of the term by the alternate assigned to that position, if any, or until the appointing agency appoints another person to fill that position.

4. Officers

- 4.1. The Officers of the CBPAC shall be a Chair and a Vice-Chair. Their duties shall be as follows:
 - 4.1.1. Chair: Presides over CBPAC meetings; develops the meeting agenda; appoints subcommittees and subcommittee chairs; and reports the CBPAC's actions and decisions to the Authority as appropriate.
 - 4.1.2. Vice-Chair: Presides over the CBPAC meetings in the absence of the Chair; conducts the other duties of the Chair in his/her absence.
- 4.2. Election of Officers shall be made as follows:
 - 4.2.1. Chair: The Chair's term of office shall be for one calendar year. The Chair shall be elected each year at the last meeting of the calendar year by a majority of the CBPAC members present and voting, and shall serve until replaced by a newly-elected chair. If the term of appointment of the Chair expires before the year is out, and that member does not seek or accept reappointment, the Vice-Chair will serve as Chair until the following January.
 - 4.2.2. Vice-Chair: This officer shall be elected by a majority of the CBPAC members present and voting at the last meeting of the calendar year. The term of office shall be for one year. If the term of appointment of the Vice-Chair expires before the year is out and that member does not seek or accept reappointment, the Committee will hold an election for a Vice-Chair to serve out the remainder of the term.
- 4.3. In the event of a vacancy in the office of the Chair, the Vice-chair shall be elevated to the office of Chair for the remainder of the calendar year term, and the CBPAC shall nominate and elect a new Vice-chair.

5. Voting

- 5.1. Decision-making by the CBPAC shall be by consensus. The CBPAC shall use formal voting only where consensus among members, and

alternates attending in place of a member, cannot be reached by consensus.

- 5.2. Each member shall have one vote. Alternates are eligible to vote when seated in place of their regular committee member.
- 5.3. A quorum shall consist of a majority of the then-appointed CBPAC members. Vacant positions shall not be considered in calculating whether a quorum has been achieved. Alternates attending instead of regularly-appointed members shall be considered as members in determining whether a quorum has been achieved.
- 5.4. Actions taken by the CBPAC must be approved by a majority of those members or alternates eligible to vote at a meeting at which a quorum has been achieved.

6. Meetings

- 6.1. All CBPAC meetings shall be posted public meetings conducted in compliance with the Brown Act.
- 6.2. The regular meetings of the CBPAC are generally scheduled for the fourth Monday of every other month beginning in January of every year at 11:00 a.m. in the Authority offices at 2999 Oak Road, Suite 100, Walnut Creek, California 94597. Additional or alternative meetings may be scheduled to address issues requiring more immediate consideration.
- 6.3. The rules contained within the current edition of Robert's Rules of Order (Newly Revised) shall govern the CBPAC in all cases to which they are applicable and in which they are not inconsistent with these bylaws, the Authority's Administrative Code, the Authority's Office Procedures Guide, and any special rules of order the CBPAC may adopt.

7. Subcommittees

- 7.1. The Chair may establish subcommittees and ad hoc committees as necessary.
- 7.2. Each subcommittee shall consist of at least three (3) CBPAC members appointed by the CBPAC Chair and reappointed annually.

By-Laws — DRAFT

Countywide Bicycle and Pedestrian Advisory Committee

Page 5

8. Amendment of By-Laws

Amendment of these bylaws may be initiated either by the CBPAC or the Authority directly. Amendment by the CBPAC requires a two-thirds (2/3) vote of the CBPAC members present and voting at any regular meeting of the CBPAC, and subsequent approval by the full Authority Board. Amendment by the Authority would be made consistent with the Authority's adopted procedures.

9. Communications and Reporting

- 9.1. The primary channel of communication for the CBPAC shall be through written and oral reports from the Chair of the CBPAC to the Technical Coordinating Committee, the Planning Committee or the Authority board.
- 9.2. Reports from the CBPAC should reflect the consensus of the CBPAC. If consensus has not been achieved, the Chair shall convey to the Authority that the CBPAC position reflects a majority vote, and the Chair shall acknowledge and convey minority opinions.
- 9.3. CBPAC members are encouraged to report back to their appointing Councils or boards on at least an annual basis and more frequently if warranted.

10. Conflict of Interest

- 10.1. There shall be no monetary gain by members of the CBPAC as a result of their membership and actions on the CBPAC.
- 10.2. CBPAC members shall recuse themselves from discussion and voting on issues in which they might have a personal financial interest or benefit.



Excerpt

Planning Committee Meeting **MINUTES**

MEETING DATE: June 1, 2011

MEMBERS: Janet Abelson (Chair), Jim Frazier (Vice-Chair)
 Dave Durant, Karen Mitchoff, *Dave Hudson for Don Tatzin*

STAFF PRESENT: Randell Iwasaki, Martin Engelmann, Brad Beck, Matt Kelly, and Peter Engel

MINUTES PREPARED BY: Diane Bodon

REGULAR AGENDA ITEMS

10.0 Proposed Bylaws for Countywide Bicycle and Pedestrian Advisory Committee.

ACTION: The Planning Committee directed staff to forward the bylaws to the RTPCs for their comment and review, and then to forward both the PC and RTPC comments to the CBPAC for review and incorporation into the bylaws. Approved 5-0.

DISCUSSION: Brad Beck, CCTA Senior Transportation Planner, reported that the Authority established the Countywide Bicycle and Pedestrian Advisory Committee (CBPAC) in 2001 to oversee the development of the first Contra Costa Bicycle and Pedestrian Plan (CBPP), adopted in 2003. Since that time, the CBPAC had taken on additional roles, such as recommending how to allocate funding, reviewing complete streets checklists for projects applying for funds available through MTC, overseeing the 2009 CBPP, and advising the Authority on other pedestrian and bicycle issues. Mr. Beck stated that the CBPAC developed proposed bylaws for Authority approval in order to formalize the structure and procedures of the committee. He explained that the proposed bylaws would assist in formalizing existing aspects of the CBPAC's organization and add new ones such as, add terms of appointment, developing the election of chair and vice-chair, and establishing regular meeting dates and provisions when voting.

Mr. Beck explained that the Technical Coordinating Committee (TCC) reviewed the proposed bylaws at its May meeting and recommended the following: 1) change the County appointees to include three staff, one from engineering, one from planning, and one from public health plus one alternate; and 2) add one transit representative appointed by the Authority's Bus Transit Coordinating Committee. He said that staff expressed concern with TCC's recommendations to add local staff to the committee which would then reduce the share of citizen representation. He further explained that the change could cause an issue with CBPAC's role as the Bicycle Advisory Committee (BAC) for Contra Costa under MTC's Resolution 875 because the intent of

*Planning Committee Meeting MINUTES**June 1, 2011**Page 3 of 6*

Resolution 875 was that the BAC be composed of primarily citizens rather than public officials. He stated that staff would need to confirm with MTC before diluting citizen representation on the CBPAC.

Mr. Beck finalized his report by stating that staff proposes to take the suggested changes back to CBPAC at its next meeting, scheduled for July 25th for their review and comments. He also recommended that staff could take the proposed Bylaws to the RTPCs for their comments.

Chair Abelson inquired on whether CBPAC members had to be Contra Costa County residents in order to be on the committee. Mr. Beck responded that it was not an Authority requirement, but MTC required that members reside in or work in Contra Costa County. He confirmed that all current members work or live in Contra Costa.

Commissioner Durant arrived at 6:47 p.m.

Commissioner Mitchoff requested that language in the bylaws be explicit with respect to whether members should work or reside in Contra Costa County. She also said that residency should be one of the primary criteria for serving on the CBPAC.

Commissioner Frazier agreed with staff's recommendation to take the proposed bylaws to the regional groups for their review and comment. He also agreed with *Commissioner Mitchoff's* request on residency, noting that the residents of Contra Costa should be involved with allocating Measure J funds.

Mr. Beck summarized the direction from the committee as follows: 1) forward the bylaws to the RTPCs for their comment; 2) forward comments made by the Planning Committee and any other comments made by the RTPCs to the CBPAC for their review and incorporation into the Bylaws; and 3) bring the bylaws back to the Planning Committee for adoption.

Date: November 26, 1980
W.I.: 1002.30.01
W.A.: 1293R
Referred By: GR&AC

RE: Transportation Development Act, Article 3, Pedestrian/Bicycle Projects.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 875

WHEREAS, the Transportation Development ACT, Public Utilities Code (PUC) Section 99200 et seq., requires the Transportation Planning Agency to adopt rules and regulations delineating procedures for the submission of claims for funding for pedestrian and bicycle facilities (Article 3, PUC Section 99233.3); state criteria by which the claims will be analyzed and evaluated (PUC Section 99401(a); and to prepare a priority list for funding the construction of pedestrian and bicycle facilities (PUC Section 99234(b)); and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the Transportation Planning Agency for the San Francisco Bay Region, adopted MTC Resolution No. 875 entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects", that delineates procedures and criteria for submission of claims for Article 3 funding for pedestrian bicycle facilities; and

X
see
Attachment
A p 2-3

WHEREAS, MTC desires to update said procedures to allow the Association of Bay Area Governments (ABAG) to receive a one-time payment of Article 3 funds from each county to prepare a plan for a bicycle and hiking trail around San Francisco Bay and mandated by Senate Bill 100 (Chapter 313, Statutes of 1987).

RESOLVED, that the attached Attachment A shall supersede the procedure previously adopted by MTC; and be it further

RESOLVED, that MTC Resolution No. 762 is rescinded and is superseded by this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

William R. "Bill" Lucius, Chairman

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, CA, on November 26, 1980

Date: November 26, 1980
 W.I.: 51410
 Referred By: GR&AC
 Revised: 11/24/82-C 11/26/86-C
 09/23/87-C 03/24/88-C
 12/18/91-C 11/25/92-C
 01/28/98-C 09/27/00-C
 05/23/01-C 11/20/02-C
 04/28/04-C 03/23/05-C

Attachment A
 Resolution No. 875, Revised
 Page 1 of 7

TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3,
 PEDESTRIAN/BICYCLE PROJECTS
 Procedures and Project Evaluation Criteria

PROCEDURES

Eligible Claimants

The Transportation Development Act (TDA), Public Utilities Code Sections 99233.3 and 99234, makes funds available in the nine-county Metropolitan Transportation Commission (MTC) Region for pedestrian/bicycle purposes. MTC makes annual allocations of TDA Article 3 funds to eligible claimants after review of applications submitted by counties or congestion management agencies.

All cities and counties in each of the nine MTC region counties are eligible to claim funds under TDA Article 3. Joint powers agencies are also eligible.

Application

1. Counties or congestion management agencies will be responsible for putting together an annual program of projects, which they initiate by contacting the county and all cities and joint powers agencies within their jurisdiction and encouraging submission of project applications.
2. Claimants will send one or more copies to the county or congestion management agency (see "Priority Setting" below).
3. A project is eligible for funding if:
 - a. The project sponsor submits a resolution of its governing board that addresses the following six points:
 1. There are no legal impediments regarding the project.
 2. Jurisdictional or agency staffing resources are adequate to complete the project.

3. There is no pending or threatened litigation that might adversely affect the project or the ability of the project sponsor to carry out the project.
 4. Environmental and right-of-way issues have been reviewed and found to be in such a state that fund obligation deadlines will not be jeopardized.
 5. Adequate local funding is available to complete the project.
 6. The project has been conceptually reviewed to the point that all contingent issues have been considered.
- b. the project is construction and/or engineering of a capital project; is to maintain a Class I bikeway which is closed to motorized traffic; is for a bicycle safety education program; is to develop comprehensive bicycle or pedestrian facilities plans (allocations to a claimant for this purpose may not be made more than once every five years); or for the purposes of restriping Class II bicycle lanes.
 - c. the claimant is eligible to claim TDA Article 3 funds under Section 99233.3 of the Public Utilities Code;
 - d. if it is a Class I, II or III bikeway project it meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page); or if it is a pedestrian facility, it meets the mandatory minimum safety design criteria published in Chapter 100 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page);
 - e. the project is ready to implement within the next fiscal year;
 - f. *if the project includes construction, that it* meets the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.) and project sponsor submits an environmental document that has been stamped by the County Clerk within the past three years.
 - g. a jurisdiction agrees to maintain the facility.
 - h. the bicycle project is included in one or more of the following: a detailed bicycle circulation element or plan included in a general plan or an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).

Priority Setting

1. The county or congestion management agency shall establish a process for establishing project priorities in order to prepare an annual list of projects being recommended for funding. Each county and city is required to have a Bicycle Advisory Committee (BAC) to review and prioritize TDA Article 3 bicycle projects and to participate in the development and review of comprehensive bicycle plans. (BACs are mandated by State Transportation

Control Measure [STCM #9], adopted by MTC on November 28, 1990, MTC Resolution No. 2178, Revised).

A city BAC shall be composed of at least 3 members who live or work in the city. More members may be added as desired. They will be appointed by the City Council. The City or Town Manager will designate staff to provide administrative and technical support to the Committee.

Cities under 10,000 population who have difficulty in locating a sufficient number of qualified members, may apply to MTC for exemption from these requirements. Cities over 10,000 population may also apply to MTC for exemption from the city BAC requirement if they can demonstrate that the countywide BAC provides for expanded city representation.

A county BAC shall be composed of at least 5 members who live or work in the county. More members may be added as desired. The County Board of Supervisors and/or Congestion Management Agency (CMA) will appoint BAC members. The county or congestion management agency executive/administrator will designate staff to provide administration and technical support to the Committee.

(Note: The intent is that BACs be composed of bicyclists/pedestrians.)

2. The project lists developed by the City BACs shall be recommended to its City or Town Council. The Countywide Bicycle Advisory Committee will forward all city project lists to the County Public Works Department or congestion management agency for evaluation/prioritization. County Committees will, at a minimum, be responsible for evaluating *bicycle* projects within the unincorporated portions of the county and setting a countywide prioritization list (based on city and county project lists) for annual TDA Article 3 allocations. Either the Board of Supervisors or the Congestion Management Agency (CMA) will adopt the annual countywide list and forward it to MTC for approval.
3. The county or congestion management agency will forward to MTC a copy of the following:
 - a) Applications for the recommended projects, including a governing body resolution, stamped environmental document, and map for each, as well as a cover letter stating the total amount of money being claimed; *and confirmation that each project meets Caltrans' minimum safety design criteria and is ready to implement within the next fiscal year.*
 - b) the complete priority list of projects with an electronic version to facilitate grant processing.
 - c) an indication of how and when the projects were reviewed by city and county committees and representatives and what methods were used to contact interested members of the public; and

- d) a Board of Supervisors' or CMA resolution approving the priority list and authorizing the claim.

MTC Staff Evaluation

If a recommended project is eligible for funding, and falls within the overall TDA Article 3 fund estimate level for that county, staff will recommend that the project be approved.

Allocation

The Commission will approve the priority list and allocation of funds for the recommended projects. The County Auditor will be notified by allocation instructions to reserve funds for the approved projects. Claimants will be sent copies of the allocation instructions and instructions for claiming disbursement.

Disbursement

1. When costs are incurred, the claimant shall submit to MTC the following, a minimum of one month before the grant expiration date:
 - a) A copy of the allocation instructions along with a dated cover letter referring to the project by name, dollar amount and allocation instruction number and requesting disbursement of funds;
 - b) Documents showing that costs have been incurred during the period of time covered by the grant and, if applicable, that the project has been formally accepted as complete by the jurisdiction.
2. MTC will approve the disbursement and if the disbursement request was received in a timely fashion and the allocation instruction has not expired, been totally drawn down nor been rescinded, issue an authorization to the County Auditor to disburse funds to the claimant.

Rescissions

Funds will be allocated to claimants for specific projects, so transfers of funds to other projects sponsored by the same claimant may not be made. If a claimant has to abandon a project or cannot complete it within the time allowed, it should ask the county or congestion management agency to request that MTC rescind the allocation. Rescission requests may be submitted to and acted upon by MTC at any time during the year. If the funds that are rescinded are from a previous fiscal year, then those funds will be rolled over into the next fiscal year at the time that MTC adopts or revises the Fund Estimate.

Fiscal Audit

All claimants that have received an allocation of TDA funds are required to submit an annual certified fiscal and compliance audit to MTC and to the Secretary of Business and Transportation Agency within 180 days after the close of the fiscal year, in accordance with PUC Section 99245. Article 3 applicants need not file a fiscal audit if TDA funds were not expended (that is, costs incurred) during a given fiscal year. However, the applicant should file a statement for MTC's records certifying that no TDA funds were expended during the fiscal year. Failure to submit the required audit for any TDA article will preclude MTC from making a new Article 3 allocation. For example, a delinquent Article 4.5 fiscal audit will delay any other TDA allocation to the city/county with an outstanding audit. Until the audit requirement is met, no new Article 3 allocations or disbursements will be made.

For Further Information

Claimants are encouraged to develop their claims with the MTC staff at an early date so that the formal claim process can be expedited. If you have any questions regarding the application forms or related matters, please contact the MTC staff liaison who is responsible for Article 3. Copies of the Transportation Development Act and the related regulations in the California Administrative Code are available from the funding section of MTC's web page.

SUGGESTED CRITERIA

The counties or congestion management agencies should consider the following criteria along with any explicit criteria the county or congestion management agency deems necessary when evaluating projects for the countywide priority list.

The basic objectives of the MTC suggested criteria are to give priority to projects that increase the safety, security, and efficiency of bicycle and pedestrian travel, and to the extent practicable provide for a coordinated system.

Consideration should be given to projects that can demonstrate one or more of the following objectives: (Not listed in priority order.)

1. Elimination or improvement of an identified problem area (specific safety hazards such as high-traffic narrow roadways or barriers to travel) on routes that would otherwise provide relatively safe and direct bicycle or pedestrian travel use, given the character of the users. For example, roadway widening, shoulder paving, restriping or parking removal to provide space for bicycles; a bicycle/pedestrian bridge across a stream or railroad tracks on an otherwise useful route; a segment of Class I bicycle path to divert young bicyclists from a high traffic arterial; a pedestrian path to provide safe access to a school or other activity center; replacement of substandard grates or culverts; adjustment of traffic-actuated signals to make them bicycle sensitive. Projects to improve safety should be based on current traffic safety engineering knowledge.

2. Roadway improvements or construction of a continuous interconnected route to provide reasonably direct access to activity centers (employment, educational, cultural, recreational) where access did not previously exist or was hazardous. For example, development of Class I paths on continuous rights-of-way with few intersections (such as abandoned railroad rights-of-way) which lead to activity centers; an appropriate combination of Class I, Class II, and Class III bikeways on routes identified as high demand access routes; bicycle route signs or bike lanes on selected routes which receive priority maintenance and cleaning.
3. Secure bicycle parking facilities, especially in high use activity areas, at transit terminals, and at park-and-ride lots. Desirable facilities include lockers, sheltered and guarded check-in areas; self-locking sheltered racks that eliminate the need to carry a chain, and racks that accept U-shaped locks.
4. Other provisions that facilitate bicycle/transit trips. For example, bike racks on buses, paratransit/trailer combinations, and bicycle loan or check-in facilities at transit terminals.
5. Maintenance of Class I bikeways that are closed to motorized traffic or for the purposes of restriping Class II bicycle lanes (provided that the total amount for Class II bicycle lane restriping does not exceed twenty percent of the county's total TDA Article 3 allocation) where county policy supports the use of Article 3 funds for this purpose.
6. Projects identified in a recent (within five years) comprehensive local bicycle or pedestrian plan. We encourage counties to establish a five-year plan for bicycle projects.
7. Projects that enhance or encourage bicycle or pedestrian commutes.
8. Projects in jurisdictions that have bicycle safety education and law enforcement, distribution of bicycle route information, a bicycle parking plan, and priority maintenance of bikeways.
9. Projects which have documented local support in terms of requests for improvement from bicyclists, employers, employees, or residents in the area; or local effort in terms of funding or preliminary studies.
10. Projects that provide connection to and continuity with longer routes provided by other means or by other jurisdictions to improve regional continuity.
11. Bicycle Safety Education Programs. Up to five percent of a county's Article 3 fund may be expended to supplement monies from other sources to fund a bicycle safety education program and staffing. For a given bicycle safety education project, no more than 50 percent shall be funded with Article 3 funds.
12. Comprehensive Bicycles and Pedestrian Facilities Plan. Funds may be allocated for these plans (emphasis should be for accommodation of bicycle commuters rather than

recreational bicycle uses). A city or county would be eligible to receive allocations for these plans not more than once every five years.