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**Countywide Bicycle & Pedestrian
Advisory Committee**

Special Meeting

AGENDA

Tuesday, February 22, 2005

4 p.m.

SCTA Conference room
520 Mendocino Ave, Suite 240, Santa Rosa

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- I. Introductions and public comment on items not on agenda
 - II. Consent Items – DISCUSSION/ACTION
 - A. Approval of the Agenda
 - B. January 25, 2005 Minutes
 - III. Measure M Bicycle/Pedestrian projects - Discussion*

* attachment included

The next **CBAC** meeting is March 22, 2005 at 2pm
The next **SCTA** meeting is March 14, 2005

DISABLED ACCOMMODATION: If you have a disability that requires the agenda materials to be in an alternative format or that requires an interpreter or other person to assist you while attending this meeting, please contact the SCTA at least 72 hours prior to the meeting, to ensure arrangements for accommodation.

SCTA Staff

Suzanne Wilford
Executive Director

Janet Spilman
Sr. Transportation Planner

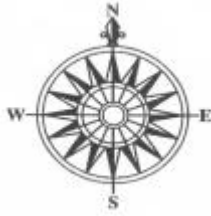
Elijah Henley
Sr. Transportation Planner

Marge Franco
Executive Assistant

520 Mendocino Avenue
Suite 240
Santa Rosa, CA 95401
PH: 707-565-5373
FAX: 707-565-5370

Staff: Janet Spilman 565-5373
jspilman@sonoma-county.org

This agenda packet is available online at www.sonoma-county.org/scta.



COUNTYWIDE BICYCLE ADVISORY COMMITTEE

MINUTES
October 19, 2004

ATTENDEES

Steven Schmitz, SCBPAC	Bunni Zimberoff, Santa Rosa BAC
James Ryan, City of Petaluma	Rob Gjestland, City of Sonoma
David Kelley, Town of Windsor	Darrin Jenkins, Rohnert Park
Bruce Eisert, City of Santa Rosa	Christine Culver, SCBC
Ken Tam, County Regional Parks	Janet Spilman, SCTA

ITEM

Introductions were made. There was no public comment.

I. Consent Items

- a. Approval of the Agenda - agenda was approved

II. Reports

- a. Santa Rosa – Bruce Eisert reported that the Santa Rosa BAC discussed potential projects for TDA3 funding. The Prince Memorial/Joe Rodota Connector will be done this fall. The Humbolt bike boulevard is in the feasibility phase. The City Planning commission is getting involved in bike lane designation on Aston. They are concerned that the proposed bike lane is unsafe. The Franklin North project is complete to College and Carr. Work has not begun north of Carr, but will be done this year.
- b. Sonoma County Regional Park – Ken Tam reported that the West County Trail bridge project (crossing Santa Rosa creek) is out to bid. The Hunter View Creek project is out to bid this spring.
- c. Sonoma County – Steven Schmitz reported that the 2nd phase of the Share the Road program will be implemented this spring. The Bodega Bay bike/ped trail study is anticipated to be adopted this summer. Community outreach is planned for this spring.
- d. Petaluma – Jim Ryan described the River Walk multi use path.

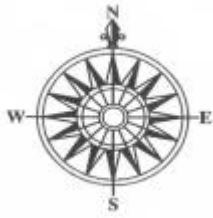
- III. TDA Article 3 -CBPAC discussed the TDA3 schedule and requirements. It was agreed that no exceptions will be made for meeting TDA3 deadlines.

- IV. TFCA FY05/06 Solicitation of Interest was discussed. Criteria for projects, deadlines and other requirements were discussed. . For more information call Janet at 565-5371.
- V. Measure M projects and process was discussed. A Project Information sheet was reviewed. The TAC and CAC will be discussing specifics related to implementation of a Strategic Plan on an almost weekly basis. CBPAC members were strongly urged to attend these meetings.

TDA Article 3 – schedule

March 5, 2004	TDA3 Project applications due to Janet
March 22, 2004	CBAC reviews project proposals
April 11, 2004	SCTA reviews CBAC recommendations
April 29, 2004	Approved Project list delivered to MTC
June 2005	MTC reviews SCTA recommendations, project applications
July 2005	Funds available for approved projects, funds need to be spent by June 30, 2008.

Applications are available at <http://www.mtc.ca.gov/funding/STA-TDA/FY04-05ClaimFormsArt3.doc>. Please call Janet (565-5371 or jspilman@sonoma-county.org) if you would like the application emailed to you.



Measure M Implementation and Policy Questions

Project Delivery

1. Should the SCTA create project information sheets to facilitate the gathering of project information? How will the more conceptual projects be scoped?

Yes, project sheets will provide the basic information about a project including description, schedule, funding, etc. A sample is attached.

Projects that are not well defined in Measure M will require scoping before funding can be programmed for other phases. If Measure M funds are to be spent on the scoping phase, a cooperative agreement between the project sponsor, other effected jurisdictions and the SCTA should be established to outline the process for defining the scope of the project, establishing cost estimates and facilitating community outreach.

2. How will projects be ranked or prioritized for programming in the Strategic Plan? What criteria should be considered?

The top two criteria for assessing projects should be project readiness by phase and available matching funds. In completing and reviewing project information sheets, overall project benefit or expected performance of a project, geographic equity, past performance in project delivery (this may not apply in the first round of programming) and capacity within Measure M cash flow are the next tier of evaluation criteria and issues such as "budget size," delivery timing and on the ground activity (i.e. construction) should also be considered.

In order to best manage the cash flow and maximize the number of projects that can be delivered early on, the financial advisor is seeking information on what the reasonable needs are for each project over the next five years. Once that picture is made clear, projects can be prioritized based on the criteria listed above.

3. How will road maintenance and bus transit funding be allocated? What will the reporting requirements be for each jurisdiction and each transit operator?

Road maintenance funding will be allocated annually to each jurisdiction, unless other arrangements are requested. Allocations will be made during the final quarter of each fiscal year beginning in FY05/06. No later than February 1 of each year, the SCTA will provide each jurisdiction an estimate of the road maintenance allocation for the following fiscal year.

Jurisdictions will be allowed to bank their allocated amounts for no more than three years. If, after the close of the third fiscal year, minimal or no funds have

been expended on maintenance projects the SCTA reserves the right to withhold the next year's allocation until the jurisdiction's balance is drawn down.

At the end of each fiscal year, the SCTA requires a letter from each jurisdiction outlining how the Measure M funding was spent, including a full accounting of the Measure M funds (including interest earned), a description of what projects were completed and how performance standards were met.

Performance standards include such things as installing signs on construction projects that show the Measure M logo, providing digital pictures of the work, identifying Measure M and the SCTA in some fashion on the jurisdiction's web site, and issuing joint press releases with the SCTA on the use of Measure M funds.

If a letter including the required information is not received from a jurisdiction the SCTA may withhold the next year's allocation until the requirement is met. A sample letter is attached.

The SCTA will conduct a random sample of audits on Measure M projects including local maintenance projects.

Bus transit funding will be allocated quarterly to each transit operator, beginning with the first allocation at the end of the first quarter of FY05/06. The annual estimate of Measure M funding will be included in the Coordinated Claim.

Transit operators will be required to submit a letter to the SCTA on an annual basis outlining how the Measure M funding was spent, including a full accounting of the Measure M funds (including interest earned), a description of what projects were completed and how performance standards were met.

Performance standards for transit include: showing the Measure M logo in buses funded with Measure M funds (a decal will be developed), providing digital pictures of any capital projects, identifying Measure M and the SCTA in some fashion on the transit agency's web site, and issuing joint press releases with the SCTA on the use of Measure M funds when appropriate.

4. What are eligible expenses for local street and road maintenance funds?
Twenty percent of Measure M funds will be used by cities and the County to fix existing roads and keep them maintained. All projects will take into consideration bicycle and pedestrian needs and appropriate safety measures. Traffic calming and intelligent transportation system technology and system implementation are eligible for sales tax revenue in this program category but are not required. The formula for distribution of these funds is 50% road miles and 50% population. The formula will be updated annually using Department of Finance population figures.
5. What is the mechanism for deleting, adding, or amending projects? Are the dollar amounts included in Measure M fixed for each project? If there is an increase in sales tax revenues, can those funds be used for identified projects that have additional needs? How will new projects be brought in to the program if funding is available? If there is a decrease in sales tax revenues, how will funding be

effected for projects listed in the Measure?

The ability to fully fund or complete all programs or projects in this Traffic Relief Act for Sonoma County expenditure plan may be impacted by changing circumstances over the duration of the tax. Tax proceeds originally allocated to a listed project may become available for reallocation due to any of the following reasons:

- A listed project is completed under budget;
- A listed project is partially or fully funded by funding sources other than Measure M tax proceeds;
- A project sponsor and implementing agency request deletion of a listed project because of unavailability of matching funds or any other reason;
- A listed project cannot be completed due to an infeasible design, construction limitation or substantial failure to meet specified implementation milestones.

The dollar amounts included in Measure M should be considered a ceiling unless additional Measure M funding becomes available.

Upon a finding that tax proceeds are available for reallocation due to one of the conditions above, the SCTA may reallocate such tax proceeds subject to the following guidelines:

- Available tax proceeds can be reallocated only to project(s) within the same program category as the original listed project.
- Reallocation of tax proceeds within a program category will be based on specific criteria including impact on congestion, cost-effectiveness, ranking in the Comprehensive Transportation Plan, availability of matching funds, project readiness and schedule adherence as determined by the SCTA.
- An existing project within a program category, that needs additional funding not as a result of scope change, has priority over a newly proposed project but must maintain the match level (50% percent in most cases) required in the original Measure M expenditure plan from other funding sources.

If overall revenues exceed the level projected in the Measure M Expenditure Plan funds will be distributed into the same program categories and existing or new projects can be considered within those categories. An existing project in a program category has priority in accessing these additional funds but still must maintain a 50% match from other funding sources. Adjustments related to revenue projections will not occur until year 2015, the tenth year of Measure M.

Projects may be amended in terms of scope and cost at the request of the project sponsor and with the approval of 2/3rds of the SCTA however the funding allocation available from Measure M will not change unless the conditions stated above are met. Project dollar amounts are set based on what was included in the expenditure plan unless additional sales tax revenues become available and are designated for a project once all of the requirements stated above are met.

6. What is the mechanism for further defining the scope of the projects listed in Measure M?

Projects in the Expenditure Plan must be clearly defined prior to programming in

the Strategic Plan. In order for this to occur, project sponsors should develop a clear project description and scope. Projects with joint sponsorship (be it multi-jurisdiction or multi-agency) should coordinate an approach prior to bringing the project forward. The SCTA will consider requests for Measure M funding for formal project scoping if necessary.

7. What will the reporting requirements be for local road and bicycle capital projects?

Annual reporting requirements will include a letter summarizing the year's activities, describing the status of the project and reviewing the overall financial picture for project. Invoicing requirements for each project will involve minimal backup information but all records must be retained for 5 years after the close out of the project.

8. What will the reporting requirement be for Highway 101 projects and SMART projects?

Annual reporting requirements will include a letter summarizing the year's activities, describing the status of the project and reviewing the overall financial picture for project. Invoicing requirements for each project will involve minimal backup information but all records must be retained for 5 years after the close out of the project.

9. How will the SMART project needs be handled in the first three years? How will priorities be established?

The SMART funding is designated for the following activities: station site development, at grade crossing improvements, final engineering and finalizing the environmental document including public outreach and FTA coordination.

SMART will be subject the same allocation process and reporting process as the local road and bike capital projects.

10. Who is responsible for regional roads/intersections/projects inside and outside city limits (i.e., Penngrove, Mark Springs Rd, Airport Blvd., Fulton/Hwy 12 intersection, etc.)? Should there be cooperative agreements or MOUs for projects that impact more than one jurisdiction? Who should take the lead on such an arrangement?

Traditionally, responsibility for a project has been based solely on the geographical location of a project. Under the 2005 Comprehensive Transportation Plan and in Measure M, some projects cross jurisdictional boundaries and thus will require partnership agreements to identify scope, cost sharing and resource related issues. An MOU or cooperative agreement should be created to formalize these elements. The SCTA should take the lead in coordinating the development of such a document when the need arises, but it is incumbent upon the involved jurisdictions to initiate discussions and establish a conceptual project scope and funding plan prior to initiating an agreement process.

A multi-jurisdictional Measure M project can move forward in discreet segments only after a partnership agreement has been approved. This is necessary to establish how the full project will be implemented even if one or more segments will require a longer period of time to be developed.

11. Should there be penalties for missed deadlines or non-performance?

Yes, however the details of this issue will be deferred to the first update of the Strategic Plan.

12. Should there be a "hire local" or local contractor preference provision required for the use of Measure M funds?

Counsel is reviewing.

13. Should there be a public/private project review team to evaluate capital projects at 30%, 60% and 90% design? Who should sit on such a review team?

In Contra Costa, the "peer review" group is comprised only of staff from local jurisdictions in the county and they meet twice to review projects – generally at 35% and 65%. The group is appointed from the City-County Engineers Committee (TAC equivalent). Occasionally some private sector individuals (in their role as providing public works services to some of our smaller cities) do participate. And of course, the consultant who prepared the plans attends. The bottom line is that the peer review is not intended to create a threatening situation. The meetings are informal and collegial. The sponsor, or their consultant, presents the projects, has sets of plans available and they go from there. Depending on the project, the meeting lasts 1 to 2 hours. It has worked well as a collegial review that all parties have found very helpful, essentially a second set of eyes. A copy of the resolution Contra Costa used in establishing this concept is attached.

14. How should the strategic plan differentiate between projects (capital) and programs (operations)?

The strategic plan should outline specifically how local street and road maintenance and transit programs will be allocated and the reporting requirements for each. See Question 3.

Projects will be programmed specifically in the plan based on project phase and year of funding. Project reporting requirements will be identified for each project related program category (highway, local road, bike and rail).

15. Should there be a MOU between SCTA and Caltrans to clarify roles and responsibilities as it relates to Highway 101 projects and Measure M?

Yes.

16. How will the relationship between Measure M projects and the TPLUS program be coordinated?

17. How will the un-programmed funding for bicycle projects be utilized? How will the “access across 101” project and “NWP bike path” project be defined?

CBAC is developing a recommendation for this.

Financial

18. How will cash flow be managed? Will there be debt financing? If so, for what types of projects and how are bonding costs allocated?

The SCTA is authorized to bond for the purposes of advancing the commencement of or expediting the delivery of transportation programs or projects. The SCTA may issue limited tax bonds, from time to time, to finance any program or project in the Traffic Relief Act for Sonoma County as allowed by applicable law and as approved by the SCTA, and the maximum bonded indebtedness shall not exceed the total amount of proceeds of this retail transactions and use tax, estimated to be \$470 million in 2004 dollars. All costs associated with the issuance of bonds, including debt service payments, issuance costs, interest, reserve requirements, and insurance shall be accounted for within that program category in which the bond proceeds were used. Such bonds will be payable solely from the proceeds of the retail transactions and use tax and may be issued any time before expiration of the tax.

19. Will borrowing between fund categories be allowed? What will the conditions be?

There are two choices and both have received some level of support.

Those who support allowing program category borrowing (the financial advisor, some TAC and CAC members) feel it maximizes the flexibility and could save bonding costs for such things as the SMART rail project.

Those who oppose the concept (some TAC and CAC members) feel it could result in an ultimate inequity between program categories with clear winners and losers.

From an accounting and reporting standpoint there will be clear delineations between program categories and any loans could require a level of interest or set repayment schedule.

Option 1: Goal is to have each program category meet its target on an annual basis. If one category has an unallocated surplus and another has greater need than funding available, funds may be shared between categories to minimize the amount of outside debt financing. Interest will be charged to the program category borrowing the funds based on the annual interest rate on the entire Measure M funding pot.

20. How will matching funds be regulated? Can Measure M funding be used up front? Will there be a dollar for dollar match?

21. Will money spent on projects before Measure M was approved count toward local match?

Costs incurred on a project prior to adoption of the 2001 Countywide Transportation Plan in September 2001 will not be counted as a local match.

22. Will all project related funding be on a reimbursement basis? What will the

invoicing requirements include?

23. Should there be an increase to the local contribution for SCTA administration?
How much?

24. How will program oversight and administrative costs be handled?

SCTA administrative costs are limited to 1%. Definitions related to what is included in the 1% will be included in the strategic plan. It is likely that legal, accounting, audit and financial advisory costs will account for most if not all of the 1%, particularly in the first few years as the program gets underway. This leaves little capacity for SCTA staffing or operating costs

STCA staff time spent on the delivery and oversight of specific projects will be billed to those projects based on the indirect billing rate established for each position at the SCTA. Some legal, accounting and audit functions may also be eligible for reimbursement from project funding.

Measure M funding will be kept completely separate from the SCTA operating budget and the SCTA will invoice Measure M projects just as project sponsors will. It is anticipated the cost of between 1 and 2 full time positions will be billed to Measure M projects.

25. Should funding swaps be employed to maximize the use of Measure M funds?

Yes

26. Should other fund sources controlled by SCTA (i.e., STIP, TDA3, STP, CMAQ, TFCA, etc.) be directed toward the completion of Measure M projects as the highest priority?

Maybe.

27. What financial assumptions should be made in developing the cash flow model?

The financial advisor will provide this answer.

28. Describe the process for programming, allocating and reimbursing Measure M funds.

Measure M funding will be programmed in five-year increments in the strategic plan and updated every two years. Once a project is programmed in the strategic plan, the project sponsor(s) can request an allocation in the fiscal year that programming is in place. The allocation request is submitted to the SCTA a minimum of 30 days prior to the SCTA Board meeting when action will be taken. The allocation request will outline what the funding will be used for and will authorize the Executive Director to enter into a funding agreement with the project sponsor(s). After an allocation request is approved and the funding agreement executed, the project sponsor(s) can initiate spending of Measure M funding. The project sponsor(s) will submit invoices to the SCTA for reimbursement of eligible costs as frequently as monthly. The SCTA will review invoices for quality control and provide reimbursement within 45 days. If a project

sponsor demonstrates a hardship related to cash flow the SCTA may consider allocating up to \$200,000 in advance of receiving invoices for the actual project costs.

Administrative

29. Should the SCTA create project application sheets to facilitate allocation requests?

Yes.

30. What project management reporting will be required? How frequently? What format? What information should be included?

See Questions 3, 7 and 8

31. What should be included in the annual report required by PUC 180111?

32. What audits should be required?

An overall programmatic audit of Measure M funds will be done annually to review the finances and demonstrate the status of projects in each program category. In addition, transit operators will provide a copy of an annual audit to the SCTA indicating how Measure M funds were used. The SCTA will require each project sponsor to submit letters annually indicating how Measure M funds were used. The SCTA will select up to 3 random projects annually and conduct audits to assess compliance with the strategic plan, funding requirements and project reporting.

33. What will the timing for updates to the strategic plan be?

The programming element of the plan should be updated every two years until 2015 and then the updating policy should be reassessed. With a majority vote, the SCTA can initiate an amendment to the strategic plan.

Janet:

I've have given policy question # 4 some more thought and have some language that I think should be considered that better states the intent of the policy. I propose that we change the second and third sentences in the paragraph below policy question # 4 to the following:

"All projects will take into consideration bicycle and pedestrian needs and appropriate safety measures. Traffic calming and intelligent transportation system technology and system implementation components of a road project are eligible for sales tax revenue but are not required."

I believe this more closely follows the intent of the original language in the measure for bicycle and pedestrian needs and clarifies that traffic calming and ITS are eligible components but not required.

Can we please discuss this at the next CBPAC meeting?

Thanks!

Steven Schmitz
Sonoma County Transit

Measure M Strategic Plan Schedule and Related Issues

Month	Tasks	Action Dates
February	CAC/TAC/CBAC finalize policy question recommendations	TAC 2/24/2005
	PFM scope of work, contract, financial planning model development, review of project estimates	CAC 2/28/2005
	Project information sheets completed and verified by 2/25	CBAC 2/22/2005
	Draft policy statements and strategic plan index prepared for March SCTA meeting	
	Legal review of policy recommendations	
	Accounting system set up proposal	
March	SCTA meeting on policy recommendations, strategic plan outline	SCTA 3/14/2005
	FY04/05 SCTA budget amendment	TAC 3/24/2005
	FY05/06 SCTA staffing and budget plan / authorize recruitment and office expansion planning - Exec Committee	CAC 3/28/2005
	PFM workshop with SCTA, draft scenarios to TAC/CAC/CBAC	CBAC 3/22/2005
	Write initial draft of strategic plan	
April	Initial draft of strategic plan to SCTA meeting	SCTA 4/11/2005
	PFM finalize draft report and receive comments	TAC 4/28/2005
	Final review by advisory groups	CAC 4/25/2005
	Start collection of tax	CBAC 4/26/2005
	FY05/06 SCTA staffing and budget plan - full SCTA	
May	Draft Strategic Plan to SCTA meeting (formatted?)	SCTA 5/9/2005
	FY05/06 SCTA budget	TAC 5/12/2005
	Final report from PFM	CAC 5/16/2005
		CBAC 5/24/2005
June	Final approval of Strategic Plan at SCTA meeting	SCTA 6/13/2005
	Receive first revenues from tax	TAC 6/23/2005
		CAC 6/27/2005
		CBAC 6/28/2005