

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 25, 2014

Reference No.: 4.6
Action

From: ANDRE BOUTROS
Executive Director

Subject: **AMENDMENT TO THE 2014 ACTIVE TRANSPORTATION PROGRAM GUIDELINES FOR METROPOLITAN PLANNING ORGANIZATION (MPO) COMPETITIVE PROJECT SELECTION RESOLUTION G-14-15**

ISSUE:

Senate Bill 99 (Chapter 359, Statutes of 2013) allows the Commission to adopt separate guidelines for administering the MPO competitive component of the Active Transportation Program. MPO guideline amendments for use in the MPO competitive selection process were submitted by the Fresno Council of Governments, San Joaquin Council of Governments, and Tulare County Association of Governments.

RECOMMENDATION:

Staff recommends that, for purposes of administering the MPO competitive component of the 2014 Active Transportation Program, the Commission adopt the amendments to the 2014 Active Transportation Program Guidelines proposed by the Fresno Council of Governments, San Joaquin Council of Governments, and Tulare County Association of Governments.

The amendments proposed by each MPO are set forth in the following attachments:

- Fresno Council of Governments (Attachment 1)
- San Joaquin Council of Governments (Attachment 2)
- Tulare County Association of Governments (Attachment 3)

BACKGROUND:

The Commission adopted statewide guidelines for administering the 2014 Active Transportation Program at its March meeting. While the statewide guidelines may be used for administering the MPO competitive component of the Active Transportation Program, the nine MPOs charged with programming funds to projects in the MPO competitive component were provided discretion in Senate Bill 99 to develop MPO guidelines with regard to project selection. Guidelines prepared by

the MPOs and adopted by the Commission may differ from the Commission's adopted statewide guidelines in the following areas:

- Selection criteria and weighting
- Minimum project size
- Match requirement
- Definition of disadvantaged community
- Supplemental call for projects

The 2014 Active Transportation Program schedule requires MPOs to submit their guidelines to the Commission by May 21, 2014 for adoption at the June Commission meeting.

The Fresno Council of Governments (FCOG), San Joaquin Council of Governments (SJCOG), and Tulare County Association of Governments (TCAG) requested adoption by the Commission of proposed amendments for administering the MPO competitive component of the program. Staff reviewed the MPO guidelines with respect to the areas for which the Commission provided flexibilities and found those areas consistent with the statewide Active Transportation Program guidelines. The following summarizes the areas proposed for amendment:

	FCOG	SJCOG	TCAG
Selection criteria and weighting	X		X
Minimum project size	X		
Match requirement	X		
Definition of disadvantaged community			X
Supplemental call for projects	X	X	

Fresno Council of Governments

- Adds scoring criteria for projects considered "shovel ready" (executed NEPA document and Right of Way certification).
- Does not establish a minimum request amount for project submittals.
- Requires all applicants to include at least an 11.47% local match. However, projects predominantly benefiting a disadvantaged community only need to meet one of the three following options: either provide a local match of at least 11.47%, provide proof that the project is shovel ready, or provide proof that the implementing agency has and will continue to partner with an outside agency to implement the project, such as a school district.
- Requires applicants to submit a supplemental questionnaire and will conduct an MPO supplemental call for projects.

San Joaquin Council of Governments

An MPO supplemental call for projects will be conducted using the statewide Active Transportation Program guidelines and application.

Tulare County Association of Governments

- Adds scoring criteria for projects providing additional matching funds exceeding 15%. For match waiver eligible projects, points will be awarded to projects providing matching funds exceeding 5% of the project cost.
- Adds scoring criteria for projects benefitting severely disadvantaged communities.
- Emphasizes that projects be part of an adopted plan (general plan, specific plan, community plan, bike plan, etc.) for Public Participation and Planning scoring criteria.
- Modifies definition of disadvantaged community:
 - Defines severely disadvantaged communities as those that are less than 60% of the statewide median income.
 - Allows the use of other data such as income surveys to determine median household income of community.

Other MPOs

Amendments for project selection to the 2014 Active Transportation Program Guidelines proposed by the Metropolitan Transportation Commission, Sacramento Area Council of Governments, San Diego Association of Governments, and Southern California Association of Governments were adopted at the May Commission meeting (Resolution G-14-13).

Kern Council of Governments and Stanislaus Council of Governments are not proposing amendments to the 2014 Active Transportation Program Guidelines for use in the MPO competitive selection process.

Attachments

1. 2014 Fresno Council of Governments Competitive Project Selection Proposal
2. 2014 San Joaquin Council of Governments Competitive Project Selection Proposal
3. 2014 Tulare County Association of Governments Competitive Project Selection Proposal
4. CTC Resolution G-14-15

2014 Active Transportation Program – MPO Competitive Project Selection Proposal

Fresno Council of Governments

Pursuant to Streets and Highways Code Section 2381(k), the Commission may approve separate guidelines for MPOs relative to project selection. The 2014 Active Transportation Program Guidelines, adopted by the Commission on March 20, 2014, allow MPOs administering competitive selection processes to differ, with Commission approval, from the statewide guidelines in the following areas: project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantage communities. The guidelines further state that the use of a minimum project size of \$500,000 or less, or of a different match requirement than in the statewide competitive program does not require prior Commission approval.

The **FRESNO COUNCIL OF GOVERNMENTS** (FCOG) proposed to differ from the adopted statewide guidelines in the following areas:

Minimum Project Size

A minimum project size is not established for project submittals.

This request does not require Commission approval.

Match Requirement

Project includes at least an 11.47% local match; applies to all project types. However, projects predominantly benefiting a disadvantaged community only need to meet one of the three following options: either provide a local match of at least 11.47%, provide proof that the project is shovel ready, or provide proof that the implementing agency has and will continue to partner with an outside agency to implement the project, such as a school district.

Supplemental Call for Projects

FCOG elects to conduct an additional solicitation for project applications.

Project Selection Criteria and Weighting

Replaces "Scoring Criteria" section (pages 10-11) of the statewide guidelines.

Criteria	Description	Points Possible
Increasing Walking and Bicycling	Potential for increased walking and bicycling, especially among students, including the identification of walking and cycling routes to and from schools, transit facilities, community centers, employment centers, and other destinations; and including increasing and improving connectivity and mobility of non-motorized users.	30

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Fresno Council of Governments

Reducing Walking/Bicycling Fatalities and Injuries	Potential for reducing the number and/or rate of pedestrian and bicyclist fatalities and injuries, including the identification of safety hazards for pedestrians and bicyclists.	25
Public Participation and Planning	Project demonstrates that a community-based public participation process culminated in the project proposal. Project applicants must clearly articulate how the local participation process resulted in the identification and prioritization of the proposed project.	15
Cost Effectiveness	Project's relative costs and benefits of the range of alternatives considered. Quantify the safety and mobility benefit in relationship to both the total project cost and the funds provided.	10
Improved Public Health	Project demonstrates improved public health through the targeting of populations with high risk factors for obesity, physical inactivity, asthma or other health issues.	10
Benefit to Disadvantaged Communities	Project demonstrates benefits to disadvantaged communities. <ul style="list-style-type: none"> o Median household income < 80% of the statewide median, or o Among the most disadvantaged 10% in the state, or o At least 75% of the public school students are eligible for the National School Lunch Program. 	10
California Conservation Corps	Use of the California Conservation Corps or a qualified community conservation corps, as defined in Section 14507 of the Public Resources Code.	-5 (point deduction)
Performance on Past Grants	Applicant's performance on past grants.	-10 (point deduction)
Shovel Readiness	Executed NEPA document and Right of Way Certification are provided.	10
TOTAL SCORING		110

2014 Active Transportation Program – MPO Competitive Project Selection Proposal

San Joaquin Council of Governments

Pursuant to Streets and Highways Code Section 2381(k), the Commission may approve separate guidelines for MPOs relative to project selection. The 2014 Active Transportation Program Guidelines, adopted by the Commission on March 20, 2014, allow MPOs administering competitive selection processes to differ, with Commission approval, from the statewide guidelines in the following areas: project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantage communities. The guidelines further state that the use of a minimum project size of \$500,000 or less, or of a different match requirement than in the statewide competitive program does not require prior Commission approval.

The **SAN JOAQUIN COUNCIL OF GOVERNMENTS** (SJCOG) proposed to differ from the adopted statewide guidelines in the following areas:

Supplemental Call for Projects

SJCOG elects to conduct an additional solicitation for project applications.

2014 Active Transportation Program – MPO Competitive Project Selection Proposal

Tulare County Association of Governments

Pursuant to Streets and Highways Code Section 2381(k), the Commission may approve separate guidelines for MPOs relative to project selection. The 2014 Active Transportation Program Guidelines, adopted by the Commission on March 20, 2014, allow MPOs administering competitive selection processes to differ, with Commission approval, from the statewide guidelines in the following areas: project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantage communities. The guidelines further state that the use of a minimum project size of \$500,000 or less, or of a different match requirement than in the statewide competitive program does not require prior Commission approval.

The **TULARE COUNTY ASSOCIATION OF GOVERNMENTS** (TCAG) proposed to differ from the adopted statewide guidelines in the following areas:

Definition of Disadvantaged Community

The criterion for qualifying based on median household income has been modified (shown underlined) to:

The median household income is less than 80% of the statewide median based on the most current census tract level data from the American Community Survey. Five (5) additional points will be awarded for projects benefitting severely disadvantaged communities (less than 60% of the statewide median income).

Data is available at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>. Other data such as income surveys may also be used.

Project Selection Criteria and Weighting

Replaces "Scoring Criteria" section (pages 10-11) of the statewide guidelines.

Criteria	Description	Points Possible
Increasing Walking and Bicycling	Potential for increased walking and bicycling, especially among students, including the identification of walking and cycling routes to and from schools, transit facilities, community centers, employment centers, and other destinations; and including increasing and improving connectivity and mobility of non-motorized users.	30
Reducing Walking/Bicycling Fatalities and Injuries	Potential for reducing the number and/or rate of pedestrian and bicyclist fatalities and injuries, including the identification of safety hazards for pedestrians and bicyclists.	25

2014 Active Transportation Program – MPO Competitive Project Selection Proposal

Tulare County Association of Governments

Public Participation and Planning	Project demonstrates that a community-based public participation process culminated in the project proposal. Project applicants must clearly articulate how the local participation process resulted in the identification and prioritization of the proposed project. TCAG will emphasize projects which are part of an adopted plan (general plan, specific plan, community plan, bike plan, etc.) and the project's relationship to system planning. A map showing how the project fits within the system will be required and can be submitted to TCAG after the project's initial submittal to the statewide selection competition.	15
Cost Effectiveness	Project's relative costs and benefits of the range of alternatives considered. Quantify the safety and mobility benefit in relationship to both the total project cost and the funds provided.	10
Benefit to Disadvantaged Communities	<p>Project demonstrates benefits to disadvantaged communities.</p> <ul style="list-style-type: none"> o Median household income < 80% of the statewide median, or o Among the most disadvantaged 10% in the state, or o At least 75% of the public school students are eligible for the National School Lunch Program. <p>Projects that benefit severely disadvantaged communities (less than 60% of the statewide median household income) will be awarded maximum 15 points.</p>	15
Improved Public Health	Project demonstrates improved public health through the targeting of populations with high risk factors for obesity, physical inactivity, asthma or other health issues.	10
California Conservation Corps	Use of the California Conservation Corps or a qualified community conservation corps, as defined in Section 14507 of the Public Resources Code.	-5 (point deduction)
Performance on Past Grants	The regional program will consider the applicant's past performance on delivering CMAQ projects. For future ATP cycles, performance on ATP project delivery will also be considered.	-10 (point deduction)

2014 Active Transportation Program – MPO Competitive Project Selection Proposal

Tulare County Association of Governments

Matching Funds	Points will be awarded to projects providing additional matching funds exceeding 15% of the project cost. For match waiver eligible projects, points will awarded to projects providing matching funds exceeding 5% of the project cost.	5
TOTAL SCORING		110

CALIFORNIA TRANSPORTATION COMMISSION
Adoption of Amendments to the 2014 Active Transportation Program Guidelines for
Metropolitan Planning Organization Competitive Project Selection
June 25, 2014

RESOLUTION G-14-15

- 1.1 WHEREAS the Active Transportation Program was created by Senate Bill 99 (Chapter 359, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking, and
- 1.2 WHEREAS Streets and Highways Code Section 2382(k) allows the Commission to adopt separate guidelines for the metropolitan planning organizations charged with allocating funds to projects pursuant to Streets and Highways Code Section 2381(a)(1) relative to project selection, and
- 1.3 WHEREAS the Active Transportation Program Guidelines (Resolution G-14-05) requires the Commission to adopt a metropolitan planning organization's use of project selection criteria or weighting, minimum project size, match requirement, or definition of disadvantaged communities when differing from the statewide guidelines adopted by the Commission on March 20, 2014, and
- 1.4 WHEREAS the Active Transportation Program Guidelines (Resolution G-14-05) require metropolitan planning organizations to submit their guidelines to the Commission by May 21, 2014, and
- 1.5 WHEREAS the Commission adopted the amendments proposed by the Metropolitan Transportation Commission, Sacramento Area Council of Governments, San Diego Association of Governments, and Southern California Association of Governments for administering the respective metropolitan planning organization's competitive program on May 21, 2014 (Resolution G-14-13), and
- 1.6 WHEREAS additional metropolitan planning organization guidelines were submitted by the Fresno Council of Governments, San Joaquin Council of Governments, and Tulare County Association of Governments.
- 2.1 NOW THEREFORE BE IT RESOLVED that the Commission adopts the amendments proposed by the Fresno Council of Governments, San Joaquin Council of Governments, and Tulare County Association of Governments for administering the respective metropolitan planning organization's competitive program, as presented by Commission Staff on May 21, 2014, and
- 2.2 BE IT FURTHER RESOLVED that these guidelines do not preclude any project nomination or any project selection that is consistent with the implementing legislation.