

SB 83 Additional Vehicle Registration Fee Expenditure Plan (July 15, 2010)

1. INTRODUCTION

A. SUMMARY

In late October, the Governor signed into law SB 83 (Hancock), which authorizes congestion management agencies (CMAs) to impose an annual vehicle registration fee increase of up to \$10 on motor vehicles registered within their respective counties. The funds would have to be used for programs and projects having a relationship to or benefiting the people paying the fee, and they would have to be consistent with the regional transportation plan.

This Expenditure Plan identifies transportation improvements to be funded from a new \$10 increase in the vehicle registration fee for vehicles registered in San Francisco. The projects and programs included in the Expenditure Plan are designed to be implemented over the next 30 years. This Expenditure Plan includes provisions for future updates to the Expenditure Plan beyond the initial 30-year period. The Expenditure Plan includes investments in three categories:

- Street Repair and Reconstruction
- Pedestrian Safety
- Transit Reliability and Mobility Improvements

B. DEVELOPMENT OF EXPENDITURE PLAN

This Expenditure Plan was developed through a multi-faceted stakeholder outreach process by the San Francisco County Transportation Authority (“Authority”) that included monthly discussions at the Authority’s Plans and Programs Committee and Citizens Advisory Committee (“CAC”) and reports to the Authority Board of Commissioners (“Board”). A subcommittee of the CAC and a stakeholder advisory panel provided more detailed input into the development of the Expenditure Plan, as did the Authority’s staff-level Technical Working Group and other stakeholders through direct contact with Authority staff. The roster of CAC and stakeholder advisory panel members is included in Attachment 1. The Board approved the Expenditure Plan on July 20, 2010.

The Expenditure Plan is a list of transportation projects and programs that will be given priority for vehicle registration fee funding. As such, the Expenditure Plan shall be amended into the Capital Improvement Program of the Congestion Management Program, developed pursuant to section 65089 of the California Government Code. These projects and programs are intended to help implement the long-range vision for the development and improvement of San Francisco’s transportation system, as articulated in the San Francisco Long Range Countywide Transportation Plan.

The Countywide Transportation Plan is the City’s blueprint to guide the development of transportation funding priorities and policy. The major objectives of the Countywide Transportation Plan are to enhance mobility and access throughout the City, improve safety for all transportation system users, support the City’s economic development and the vitality of our neighborhoods, sustain environmental quality, and promote equity and efficiency in transportation investments. The Countywide Transportation Plan is a living document, updated on a regular basis to identify and address changing needs and regional trends, and align them with available funding.

SB 83 Additional Vehicle Registration Fee Expenditure Plan (July 15, 2010)

C. GUIDING PRINCIPLES

The following principles were used to help guide development of the Expenditure Plan:

- All programs and projects must provide a documentable benefit or relationship to those paying the fee.
- Don't spread the limited revenues too thin or too thick: limit the Expenditure Plan to a very small number of programmatic categories, and within the categories focus on smaller, high-impact projects that will provide tangible benefits in the short-term.
- Stretch limited revenues as far as possible by complementing or enhancing projects that receive Prop K and other funds (e.g. support leveraging of revenues)
- Fill gaps in fund eligibility by supporting projects that are ineligible, have very limited eligibility, or compete poorly to receive Prop K or other discretionary funds.
- Provide a fair geographic distribution that takes into account the various needs of San Francisco's neighborhoods.
- Ensure accountability and transparency in programming and delivery.

D. STRUCTURE

The Expenditure Plan is organized into seven sections. Section 1: Introduction provides background on the Expenditure Plan's purpose and how it was developed. Section 2: General Provisions provides further context on the Expenditure Plans' policies and administration. Section 3: Plan Summary contains detailed descriptions of the three programmatic categories included in the Expenditure Plan, and the types of items that are eligible for funding under each of them. Section 4: Benefit-Relationship Finding addresses the requirement in SB83 that there be a finding of benefit or relationship between the projects and programs in the Expenditure Plan and those persons paying the fee. Section 5: Consistency with Regional Transportation Plan addressed the requirement in SB83 that the projects and programs in the Expenditure Plan are consistent with the regional transportation plan. Section 6: Implementation Provisions describes the process for prioritizing and allocating funds following adoption of the Expenditure Plan. Section 7: Update Process describes the mechanisms for developing updates to the Expenditure Plan beyond the initial 30-year period.

2. GENERAL PROVISIONS

A. Vehicle Registration Fee Revenues

The Expenditure Plan is fiscally constrained to the total funding expected to be available if the voters approve the \$10 vehicle registration fee increase.

Total revenues are estimated over the next 30-year period at approximately \$150.0 million (escalated dollars or year of expenditure (YOE) dollars), or approximately \$5.0 million annually.

B. Administration by the San Francisco County Transportation Authority

The Authority, which currently serves as the Congestion Management Agency for the City and County of San Francisco, shall allocate, administer and oversee the expenditure of the vehicle registration fee revenues.

**SB 83 Additional Vehicle Registration Fee Expenditure Plan
(July 15, 2010)**

C. Annual Report

The Authority shall draft a public annual report that summarizes revenues collected; expenditures by programmatic category, including distribution of funds within each program and costs related to bonding, if applicable; administrative costs; and accomplishments and benefits realized by the program.

D. Use of Proceeds

The Authority shall use the proceeds of the fee solely for the projects and programs and purposes set forth in the Expenditure Plan. The Authority shall not provide funds in advance, but shall reimburse a sponsor for eligible expenditures incurred on approved projects and programs. Pursuant to California Government Code section 65089.20, not more than five percent of the fee proceeds shall be used for administrative costs associated with the programs and projects, including the amendment of the Expenditure Plan.

Pursuant to California Vehicle Code section 9250.4, the Authority may pay the initial setup and programming costs identified by the California Department of Motor Vehicles to collect the fee from the fee proceeds. Any direct contract payment from the Authority to the Department of Motor Vehicles shall be repaid, with no restriction on the funds, to the Authority as part of the initial fee revenue available for distribution. These setup and programming costs shall not be counted against the five percent administrative cost limit specified in California Government Code section 65089.20(d) and this Expenditure Plan.

The costs of placing the measure authorizing the vehicle registration fee increase on the ballot, including payments to the San Francisco Department of Elections and payments for the printing of the portions of the ballot pamphlet relating to the fee increase measure, up to a maximum of \$400,000 advanced by the Authority, shall be paid from the proceeds of this fee, and shall not be counted towards the 5% limit on administrative costs. In its discretion, the Authority may amortize these costs over a period of years.

E. Restriction of Funds

Vehicle registration fee revenues shall be spent on capital projects rather than to fund operations and maintenance of existing transportation services, unless otherwise explicitly specified in the Expenditure Plan. Vehicle registration fee revenues generated pursuant to this plan shall be subject to the following restrictions:

i. No Substitution

Vehicle registration fee revenues shall be used to supplement and under no circumstance replace existing revenues used for transportation purposes. Proceeds from the sale or liquidation of capital assets funded with vehicle registration fee revenues shall be returned to the Authority (in proportion to the contribution of vehicle registration fee revenues to the total original cost of the asset), for re-allocation to eligible expenses within the categories from which funds were expended for the original investment.

ii. No Expenditures Outside San Francisco

No vehicle registration fee revenues shall be spent outside the limits of the City and County of San Francisco, except for projects that demonstrate there will be a quantifiable benefit to the City and County's transportation program from the expenditure of funds beyond the

**SB 83 Additional Vehicle Registration Fee Expenditure Plan
(July 15, 2010)**

City and County line. Should transportation projects or services contemplated in the plan require the participation of multiple counties for any phase of project development or implementation, the Authority shall work cooperatively with the affected county or counties to ensure successful project implementation.

F. Environmental Review

The proposed vehicle registration fee increase and the Expenditure Plan do not constitute a "project" as defined by the California Environmental Quality Act (CEQA) because they simply create a government funding mechanism that does not involve a commitment to any specific project, which may result in a potentially significant physical impact on the environment.

Environmental reporting, review and approval procedures as provided for under the National Environmental Policy Act (NEPA), and/or CEQA, and other applicable laws shall be carried out as a prerequisite to the implementation of any project to be funded partially or entirely with vehicle registration fee revenues.

G. Eligible Recipients of Funds

Only public agencies are eligible to receive allocations of vehicle registration fee revenues.

H. Option to Bond

The Authority may issue bonds or collaborate with other entities to issue bonds to expedite delivery of projects and programs under this Expenditure Plan. Any bonds will be paid with the proceeds of the fee and the costs associated with bonding will be borne only by the programs in the Expenditure Plan utilizing the bond proceeds.

I. Severability of Expenditure Plan Projects and Programs

All projects and programs included in the Expenditure Plan and included in the related Benefit-Relationship Finding are discrete and severable. If any individual project or program is deemed ineligible to receive vehicle registration fee revenues, the Authority may reallocate the revenues for that project or program to eligible projects and programs according to the Expenditure Plan category distribution formula.

3. PLAN SUMMARY

This Expenditure Plan identifies eligible expenditures for three programmatic categories. Programmatic categories are set up to address allocation of funds to multi-year programs for a given purpose, such as the maintenance of local streets and roads, for which not all specific project locations can be anticipated or identified at the time of adoption of the Expenditure Plan. Over the life of the Expenditure Plan, the percentage allocation of vehicle registration fee revenues to each category is as follows: Street Repair and Reconstruction – 50%, Pedestrian Safety– 25%, and Transit Reliability and Mobility Improvements – 25%.

A. STREET REPAIR AND RECONSTRUCTION

Repair and reconstruction of city streets to prevent deterioration of the roadway system, based on an industry-standard pavement management system designed to inform cost effective roadway maintenance. Priority given to streets located on San Francisco's bicycle and transit networks and to

**SB 83 Additional Vehicle Registration Fee Expenditure Plan
(July 15, 2010)**

projects that include complete streets elements such as curb ramps, bicycle infrastructure, pedestrian improvements, and traffic calming. Includes design and construction. Total Revenues: \$75 million.

B. PEDESTRIAN SAFETY

Improvements to the safety and usability of city streets for pedestrians. Priority given to projects that shorten crossing distances, minimize conflicts with other modes, and reduce pedestrian hazards. May include crosswalk improvements, sidewalk widening and bulbouts, sidewalk repair, repair or upgrade of stairways connecting to transit stops, pedestrian countdown signals, pedestrian lighting, and traffic calming. Includes design and construction. Total Revenues: \$37.5 million.

C. TRANSIT RELIABILITY AND MOBILITY IMPROVEMENTS

Improvements that promote transportation system connectivity, reliability, and accessibility. Priority given to projects on corridors with high transit ridership and those that support proposed rapid transit. May include transit station and stop improvements, transit stop consolidation and relocation, transit signal priority, traffic signal upgrades, travel information improvements, wayfinding signs, innovative parking management pilots and projects, and transportation demand management. Includes design and construction. Total Revenues: \$37.5 million.

4. BENEFIT-RELATIONSHIP FINDING

SB 83 requires that the ballot measure resolution shall contain a finding of fact that the projects and programs to be funded by the fee increase have a relationship or benefit to the persons who will be paying the fee. This finding specifically considered the benefit each Expenditure Plan category would provide to vehicle owners, or how projects in the category would mitigate an impact caused by the vehicle owners. The following is a summary of the benefits and relationships of the projects and programs to be funded by the fee and the persons who will be paying the fee for each Expenditure Plan category.

- Street Repair and Reconstruction: Street pavement deteriorates over time due to vehicle use, and vehicle owners benefit directly from better-maintained streets through reduced maintenance costs and enhanced driving experience. Vehicle use is also a significant cause of pedestrian and bicyclist injuries. Complete streets elements incorporated into street repair and reconstruction projects improve safety, mitigating vehicles' impact on pedestrians and cyclists.
- Pedestrian Safety: Vehicle use is a significant cause of pedestrian injuries, and projects that improve pedestrian safety mitigate that impact.
- Transit Reliability and Mobility Improvements: Congestion caused by private vehicle use impedes transit speed and reliability throughout San Francisco. Measures to improve transit reliability and mobility mitigate the impact of that congestion.

5. CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

SB83 requires that the ballot measure resolution shall contain a finding of fact that the projects and programs to be funded by the fee increase are consistent with the regional transportation plan (RTP) adopted pursuant to Section 65080. The Authority has found that these projects and programs are

SB 83 Additional Vehicle Registration Fee Expenditure Plan (July 15, 2010)

consistent with the Metropolitan Transportation Commission's RTP (also known as *Transportation 2035 Plan*).

6. IMPLEMENTATION PROVISIONS

Prior to allocation of any vehicle registration fee funds, the Authority shall prepare, in close consultation with all other affected planning and implementation agencies, a Strategic Plan for the use of the vehicle registration fee revenues, for review and adoption by the Authority Board. The Strategic Plan shall include a detailed 5-year prioritized program of projects to be funded from each of the Expenditure Plan categories. The program goals shall be consistent with the Countywide Transportation Plan and with the City's General Plan.

The Strategic Plan's 5-year prioritized program of projects shall, at a minimum, address the following factors:

- A. Project readiness, including schedule for completion of environmental and design phases; well-documented preliminary cost estimates, and documented community support as appropriate. Priority shall be given to projects that can implement the funded phase(s) within twelve months of allocation.
- B. Compatibility with existing and planned land uses, and with adopted standards for urban design and for the provision of pedestrian amenities; and supportiveness of planned growth in transit-friendly housing, employment and services.
- C. A prioritization mechanism to rank projects within each category, addressing, for each proposed project:
 - Relative level of need or urgency
 - Cost Effectiveness
 - Number of beneficiaries (e.g. modes of travel that would benefit)
 - Level of community support
 - Leveraging of other funds
 - A fair geographic distribution that takes into account the various needs of San Francisco's neighborhoods.
- D. Funding plan, including sources other than the vehicle registration fee.

The Authority shall conduct appropriate public outreach to ensure an inclusive planning process for the development of the Strategic Plan, as well as general plan referral or referral to any City Department or Commission if required.

The Authority and project sponsors shall also identify appropriate performance measures, milestone targets, and a timeline for achieving them, to ensure that progress is made in meeting the goals and objectives of the program. These performance measures shall be consistent with the Authority's Congestion Management Program requirements.

As part of the Strategic Plan development process, the Authority shall adopt, issue, and update detailed guidelines for the development of programs of projects, as well as for the development of project scopes, schedules and budgets.

**SB 83 Additional Vehicle Registration Fee Expenditure Plan
(July 15, 2010)**

7. EXPENDITURE PLAN UPDATE PROCESS

The Authority Board may adopt an updated Expenditure Plan anytime after 15 years from the initial receipt of vehicle registration fee revenues.

**SB 83 Additional Vehicle Registration Fee Expenditure Plan
(July 15, 2010)**

Attachment 1

SB 83 Citizens Advisory Subcommittee and Stakeholder Advisory Panel Rosters

Citizens Advisory Committee

Jul Lynn Parsons, Chair*
Peter Tannen, Vice Chair*
Brian Larkin
Jacqueline Sachs*
Wendy Tran
Michael Ma
Chris Jones
Robert Switzer*
Glenn Davis
Fran Martin
Rosie West

* Denotes member of the CAC SB 83 Subcommittee

Stakeholder Advisory Panel

Jean Fraser
Gillian Gillett
Jim Haas
John Holtzclaw
Jim Lazarus
Gabriel Metcalf
Andy Thornley