

# **THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 - LOCAL STREETS AND ROADS FUNDING DRAFT REPORTING GUIDELINES**

*June 30, 2017*

**California Transportation Commission**



NOTE: These Draft Local Streets and Roads Funding Reporting Guidelines are currently under development. This information is provided in draft form, and is subject to further modification and refinement. This draft information does not represent any final determination by the Commission on any of the issues addressed in these draft guidelines.

**CALIFORNIA TRANSPORTATION COMMISSION  
THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017**

**REPORTING GUIDELINES FOR LOCAL STREETS AND ROADS FUNDING**

**TABLE OF CONTENTS**

<b>I. Introduction .....</b>	<b>1</b>
<b>1. Background and Purpose of Reporting Guidelines.....</b>	<b>1</b>
<b>2. Program Objectives and Statutory Requirements .....</b>	<b>1</b>
<b>3. Program Roles and Responsibilities .....</b>	<b>2</b>
<b>4. Program Schedule .....</b>	<b>3</b>
<b>II. Funding.....</b>	<b>4</b>
<b>5. Source .....</b>	<b>4</b>
<b>6. Disbursement of Funds .....</b>	<b>4</b>
<b>III. Eligibility and Program Priorities .....</b>	<b>5</b>
<b>7. Eligible Recipients .....</b>	<b>5</b>
<b>8. Program Priorities and Example Projects .....</b>	<b>5</b>
<b>IV. Project List Submittal.....</b>	<b>6</b>
<b>9. Content and Format of Project List .....</b>	<b>6</b>
<b>10. Process and Schedule for Project List Submittal.....</b>	<b>9</b>
<b>11. Commission Submittal of Eligible Entities to the State Controller’s Office.....</b>	<b>9</b>
<b>V. Project Expenditure Reporting and Auditing .....</b>	<b>10</b>
<b>12. Scope of Completed Project Expenditure Report.....</b>	<b>10</b>
<b>13. Process and Schedule for Project Report Submittal.....</b>	<b>12</b>
<b>14. Commission Reporting of Project Information Received.....</b>	<b>12</b>
<b>15. State Controller Expenditure Reporting and Maintenance of Effort Monitoring....</b>	<b>13</b>
<b>16. Workforce Development Requirements and Project Signage.....</b>	<b>14</b>
<b>Appendix A – Local Streets and Roads Project List Form.....</b>	<b>15</b>
<b>Appendix B - Local Streets and Roads Completed Project Expenditure Report Form .....</b>	<b>17</b>
<b>Appendix C – Local Streets and Roads Program Schedule.....</b>	<b>18</b>

## **I. Introduction**

### **1. Background and Purpose of Reporting Guidelines**

On April 28, 2017 the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. To address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system, SB 1: increases per gallon fuel excise taxes; increases diesel fuel sales taxes and vehicle registration fees; and provides for inflationary adjustments to tax rates in future years.

Beginning November 1, 2017, the State Controller (Controller) will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system. For a detailed breakdown of RMRA funding sources and the disbursement of funding please see Sections 5 and 6 of these guidelines.

SB 1 emphasizes the importance of accountability and transparency in the delivery of California's transportation programs. Therefore, in order to be eligible for RMRA funding, statute requires cities and counties to provide basic RMRA project reporting to the California Transportation Commission (Commission).

These guidelines describe the general policies and procedures for carrying out the RMRA project reporting requirements for cities and counties and other statutory objectives as outlined in Section 2 below. The guidelines were developed in consultation with state, regional, and local government entities and other transportation stakeholders.

The Commission may amend these guidelines after first giving notice of the proposed amendments. In order to provide clear and timely guidance, it is the Commission's policy that a reasonable effort be made to amend the guidelines prior to a call for project lists or the Commission may extend the deadline for project list submission in order to facilitate compliance with the amended guidelines.

### **2. Program Objectives and Statutory Requirements**

Streets and Highways Code (SHC) Section 2032.5(a) articulates the general intent of the legislature that recipients of RMRA funding be held accountable for the efficient investment of public funds to maintain local streets and roads and are accountable to the people through performance goals that are tracked and reported.

Pursuant to SHC Section 2030(a), the objective of the Local Streets and Roads Program is to address deferred maintenance on the local streets and roads system through the prioritization and delivery of basic road maintenance and rehabilitation projects as well as critical safety projects.

Cities and counties receiving RMRA funds must comply with all relevant federal and state laws, regulations, policies, and procedures. The main requirements for the program are codified in SHC Sections 2034, 2036, 2037, and 2038 and include the following:

- Prior to receiving an apportionment of RMRA funds from the Controller in a fiscal year, a city or county must submit to the Commission a list of projects proposed to be funded with these funds. All projects proposed to receive funding must be included in a city or county budget that is adopted by the applicable city council or county board of supervisors at a regular public meeting [SHC 2034(a)(1)].
- The list of projects must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement [SHC 2034(a)(1)]. Further guidance regarding the scope, content, and submittal process for project lists prepared by cities and counties is provided in Sections 9-10.
- The project list does not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities so long as the projects are consistent with RMRA priorities as outlined in SHC 2030(b) [SHC 2034(a)(1)].
- The Commission will report to the Controller the cities and counties that have submitted a list of projects as described in SHC 2034(a)(1) and that are therefore eligible to receive an apportionment of RMRA funds for the applicable fiscal year [SHC 2034(a)(2)].
- The Controller, upon receipt of the report from the Commission, shall apportion RMRA funds to eligible cities and counties pursuant to SHC 2032(h) [SHC 2034(a)(2)].
- For each fiscal year in which RMRA funds are received and expended, cities and counties must submit documentation to the Commission that includes a description and location of each completed project, the amount of funds expended on the project, the completion date, and the estimated useful life of the improvement [SHC 2034(b)]. Further guidance regarding the scope, content, and submittal process for program expenditure reports is provided in Sections 12-13.
- A city or county receiving an apportionment of RMRA funds is required to sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during the 2009–10, 2010–11, and 2011–12 fiscal years for street, road, and highway purposes from the city's or county's general fund [SHC 2036]. Monitoring and enforcement of the maintenance of effort requirement for RMRA funds will be carried out by the Controller and is addressed in more detail in Section 15.
- A city or county may spend its apportionment of RMRA funds on transportation priorities other than priorities outlined in SHC 2030(b) if the city or county's average Pavement Condition Index (PCI) meets or exceeds 80 [SHC 2037].
- By July 1, 2023, cities and counties receiving RMRA funds must follow guidelines developed by the California Workforce Development Board (Board) that address participation and investment in, or partnership with, new or existing pre-apprenticeship training programs [SHC 2038]. Further information regarding the forthcoming Board Guidelines and future Board-sponsored grant opportunities is available in Section 14.

### 3. Program Roles and Responsibilities

Below is a general outline of the roles and responsibilities of recipient cities/counties, the Commission, and the Controller in carrying out the program's statutory requirements, as well as activities the Commission will undertake to meet the legislative intent of SB 1:

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Recipient Cities/Counties:

- Develop and submit a list of projects to the Commission each fiscal year.
- Develop and submit a project expenditure report to the Commission each fiscal year.
- Comply with all requirements including reporting requirements for RMRA funding.

Commission (with assistance from Caltrans as needed pursuant to Government Code Section 14512):

- Provide technical assistance to cities and counties in the preparation of project lists and reports.
- Receive project lists from cities and counties each fiscal year.
- Provide a comprehensive list to the Controller each fiscal year of cities and counties eligible to receive RMRA apportionments.
- Receive program expenditure reports from cities and counties each fiscal year and provide aggregated statewide information regarding use of RMRA funds to the Legislature and the public (e.g. the Commission's Annual Report to the Legislature and a SB 1 Accountability Website).

Controller:

- Receive list of cities and counties eligible for RMRA apportionments each fiscal year from the Commission.
- Apportion RMRA funds to cities and counties.
- Oversee Maintenance of Effort and other requirements for RMRA funds including reporting required pursuant to SHC 2151.

#### 4. Program Schedule

The following schedule lists the major milestones for the development of the 2017 Local Streets and Roads Funding Reporting Guidelines, initial submittal of project lists, and transmittal of eligibility list to the Controller. See Appendix C for a more detailed program schedule.

Draft Guidelines Circulated for Public Review	June 19 – July 10, 2017
Commission Adoption of Guidelines	August 16-17, 2017
Call for Project Lists	August 18, 2017
Project Lists due to Commission	September 15, 2017
Commission Adopts List of Eligible Cities and Counties	October 18-19, 2017
Commission Submits List to Controller	November 1, 2017

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## **II. Funding**

### **5. Source**

The State of California imposes per-gallon excise taxes on gasoline and diesel fuel, sales taxes on diesel fuel, and registration taxes on motor vehicles and dedicates these revenues to transportation purposes. Portions of these revenues flow to cities and counties through the Highway Users Tax Account (HUTA) and the newly established RMRA created by SB 1.

The Local Streets and Roads Funding Program administered by the Commission in partnership with the Controller is supported by RMRA funding which includes portions of revenues pursuant to SHC 2031 from the following sources<sup>1</sup>:

- An additional 12 cent per gallon increase to the gasoline excise tax effective November 1, 2017.
- An additional 20 cent per gallon increase to the diesel fuel excise tax effective November 1, 2017.
- An additional vehicle registration tax called the “Transportation Improvement Fee” with rates based on the value of the motor vehicle effective January 1, 2018.
- An additional \$100 vehicle registration tax on zero emissions (ZEV) vehicles of model year 2020 or later effective July 1, 2020.
- Annual rate increases to these taxes beginning on July 1, 2020 (July 1, 2021 for the ZEV fee) and every July 1<sup>st</sup> thereafter equal to the change in the California Consumer Price Index (CPI).

SHC 2032(h)(2) specifies that 50 percent of the balance of revenues deposited into the RMRA, after certain funding is set aside for various programs, will be continuously appropriated for apportionment to cities and counties by the Controller pursuant to the formula in SHC Section 2103(a)(3)(C)(i) and (ii).

### **6. Disbursement of Funds**

Each fiscal year, upon receipt of a list of cities and counties that are eligible to receive an apportionment of RMRA funds pursuant to SHC 2032(h)(2) from the Commission, the Controller is required to apportion RMRA funds to eligible cities and counties consistent with the formula outlined in SHC Section 2103(a)(3)(C)(i) and (ii).

It is expected that the Controller will apportion RMRA funds on a monthly basis to eligible cities and counties using a process and system similar to that of HUTA apportionments.<sup>2</sup>

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<sup>1</sup> The California Local Government Finance Almanac. Updated May 11, 2017. Page 7. Accessed at: <http://www.californiacityfinance.com/LSR1704.pdf>

<sup>2</sup> Please note that the language in this section is still under development. Commission staff is currently working with staff from the Controller’s office to determine the exact process and timing for the disbursement of funds.

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### **III. Eligibility and Program Priorities**

#### **7. Eligible Recipients**

Eligible recipients of RMRA funding apportionments include cities and counties that have prepared and submitted a project list to the Commission pursuant to SHC Section 2034(a)(1) and that have been included in a list of eligible entities submitted by the Commission to the Controller pursuant to SHC Section 2034(a)(2).

Recipients of RMRA apportionments must comply with all relevant federal and state laws, regulations, policies, and procedures.

#### **8. Program Priorities and Example Projects**

Pursuant to SHC Section 2030(a), RMRA funds made available for the Local Streets and Roads Funding Program shall be prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects.

SHC Section 2030(b)(1) provides a number of example projects and uses for RMRA funding that include but are not limited to the following:

- Road Maintenance and Rehabilitation
- Safety Projects
- Railroad Grade Separations
- Complete Streets Components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project)
- Traffic Control Devices

SHC Section 2030(b)(2) states that funds made available by the program may also be used to satisfy a match requirement in order to obtain state or federal funds for projects authorized by this subdivision.

SHC Section 2030(c)-(f) specifies additional project elements that will be incorporated into RMRA-funded projects by cities and counties to the extent possible and cost effective, and where feasible (as deemed by cities and counties). These elements are:

- Technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of maintaining local streets and roads through material choice and construction method.
- Systems and components in transportation infrastructure that recognize and accommodate technologies including but not limited to ZEV fueling or charging and infrastructure-vehicles communications for transitional or fully autonomous vehicles.
- Project features to better adapt the transportation asset to withstand the negative effects of climate change and promote resiliency to impacts such as fires, floods, and sea level rise (where appropriate given a project's scope and risk level for asset damage due to climate change).
- Complete Streets Elements (such as project features that improve the quality of bicycle and pedestrian facilities and that improve safety for all users of transportation)

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facilities) are expected to be incorporated into RMRA funded projects to the extent (as deemed by cities and counties) beneficial, cost-effective, and practicable in the context of facility type, right-of-way, project scope, and quality of nearby facilities.

Pursuant to SHC Section 2037, a city or county may spend its apportionment of RMRA funds on transportation priorities other than those outlined in SHC Section 2030 if the city or county's average Pavement Condition Index (PCI) meets or exceeds 80.

## **IV. Project List Submittal**

### **9. Content and Format of Project List**

Pursuant to SHC Section 2034(a)(1), prior to receiving an apportionment of RMRA funds from the State Controller in a fiscal year, a city or county must submit to the Commission a list of projects proposed to be funded with these funds pursuant to an adopted city or county budget.

Listed below are the specific statutory criteria for the content of the project list along with additional guidance provided to help ensure a consistent statewide format and to facilitate accountability and transparency within the Local Streets and Roads Program.

#### **a.) Included in an Adopted Budget**

All proposed projects must be included in a city or county budget that is adopted by the applicable city council or county board of supervisors at a regular public meeting.

To ensure transparency and to meet the intent of SHC Section 2034(a)(1) "included in a city or county budget" can mean either of the following:

- a.) A specific list of projects proposed for RMRA funding adopted as part of the city/county's regular operating or capital improvement budget, at a regular public meeting; or
- b.) A specific list of projects proposed for RMRA funding amended into the city/county's regular operating or capital improvement budget, at a regular public meeting.

#### **Documentation of Inclusion in an Adopted Budget**

A city or county must provide with a project list a public record that projects proposed for RMRA funding through the Local Streets and Roads Program have been included in an adopted city or county operating budget. Examples of an acceptable public record include:

- a.) An excerpt from the city/county's regular operating or capital improvement budget including the relevant list of projects and an adopting resolution;
- b.) An excerpt from the city/county's regular operating or capital improvement budget including the relevant list of projects and meeting minutes documenting approval at a regular public meeting.
- c.) An excerpt from the city/county's amended operating or capital improvement budget including the relevant list of projects, or the staff report specifying the projects to be included, as well as an adopting resolution or meeting minutes documenting approval at a regular public meeting.



Submittal of electronic copies of the relevant excerpts from an operating budget (or amendment) and support documentation (i.e. resolution or minutes) is encouraged. Support documentation requirements are further discussed in Appendix A.

## **b.) List of Projects – Content**

Pursuant to SHC 2034(a)(1), the project list must include a description and the location of each proposed project, a proposed schedule for each project's completion, and the estimated useful life of the improvement.

### Development and Content

The Commission recognizes the inherent diversity of road maintenance and rehabilitation needs among the approximately 540 jurisdictions across the state that may utilize Local Streets and Roads Program funding.

Given the emphasis SB 1 places on accountability and transparency in delivering California's transportation programs, cities and counties are encouraged to clearly articulate how these funds are being utilized through the development of a robust project list.

To promote statewide consistency in the content and format of project information submitted to the Commission, and to facilitate transparency within the Local Streets and Roads Funding Program, the following guidance is provided regarding the key components of the project list. Please note that projects lists included in a city or county budget may only include the elements mandated by statute: description, location, schedule for completion and useful life elements. Cities and counties should include more detailed project information in the project list submitted to the Commission.

For further assistance, Appendix A has been developed to specify project list content and format.

### Project Description

The list must include a project description for each proposed project. The city/county is encouraged to provide a brief non-technical description (up to 5 sentences) written so that the main objectives of the project can be clearly and easily understood by the public.

The level of detail provided will vary depending upon the nature of the project; however, it is highly encouraged that the project description contain a minimum level of detail needed for the public to understand what is being done and why it is a critical or high-priority need.

### Project Location

The list must include a project location for each proposed project. The city/county is encouraged to provide project location information that, at a minimum, would allow the public to clearly understand where within the community the project is being undertaken. For example, providing specific street names where improvements are being undertaken and specifying project termini when possible are preferable to more general information such as "various" or "south-west side of city/county". If project-specific geolocation data is available, it is highly encouraged to be included in the project list submitted to the Commission.

### Proposed Schedule for Completion

The list must include a completion schedule for each proposed project. The city/county is encouraged to provide a high-level timeline that provides a clear picture to the public of when a project is reasonably expected to be completed.

### Estimated Useful Life

The list must include an estimated useful life for each proposed project. The city/county is encouraged to provide information regarding the estimated useful life of the project that is clear, understandable, and based on industry-standards for the project materials and design.

### Technology, Climate Change, and Complete Streets Considerations

SHC Section 2030(c)-(f) specifies additional project elements that will be incorporated into RMRA-funded projects by cities and counties to the extent possible and cost effective, and where feasible. These elements are:

- Technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of maintaining local streets and roads through material choice and construction method.
- Systems and components in transportation infrastructure that recognize and accommodate technologies including but not limited to ZEV fueling or charging and infrastructure-vehicles communications for transitional or fully autonomous vehicles.
- Project features to better adapt the transportation asset to withstand the negative effects of climate change and promote resiliency to impacts such as fires, floods, and sea level rise (where appropriate given a project's scope and risk level for asset damage due to climate change).
- Complete Streets Elements (such as project features that improve the quality of bicycle and pedestrian facilities and that improve safety for all users of transportation facilities) are expected to be incorporated into RMRA funded projects to the extent (as deemed by cities and counties) beneficial, cost-effective, and practicable in the context of facility type, right-of-way, project scope, and quality of nearby facilities.

Cities and counties are encouraged to consider all of the above for implementation, to the extent possible, cost-effective, and feasible, in the design and development of projects for RMRA funding.

To meet the intent of SHC 2032.5(a) as outlined in Section 2 of these Guidelines, in addition to the statutory requirements outlined in Section 10, the standard forms developed by the Commission will allow cities and counties to report on the inclusion of these elements.

### Other Statutory Considerations for Project Lists

Pursuant to SHC Section 2034(a)(1), the project list shall not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities, so long as the projects are consistent with SHC Section 2030(b).

Pursuant to SHC Section 2037, a city or county may spend its apportionment of RMRA funds on transportation priorities other than those outlined in SHC 2030(b) if the city or county's average Pavement Condition Index (PCI) meets or exceeds 80.

### **c.) List of Projects – Standard Format**

Please note that projects lists included in a city or county budget may only include the elements mandated by statute: description, location, schedule for completion and useful life elements. Cities and counties should include more detailed project information in the project list submitted to the Commission.

To promote statewide consistency of project information submitted to the Commission, a standard project list format using Microsoft Excel has been developed and is further explained in Appendix A.

For the initial submittal of project lists in 2017, cities and counties are required to use the standard form available here [hyperlink to excel form].

In future fiscal years, the Commission intends to make available an online platform so that cities and counties can quickly and easily enter project list information and upload support documentation online.

## **10. Process and Schedule for Project List Submittal**

A city or county must submit a project list and support documentation by **September 15, 2017** to the Commission. All materials should be provided electronically. In the event a jurisdiction wishes to submit a hard copy please contact the program manager at the number below. Project lists, support documentation, and any questions can be remitted to:

Laura Pennebaker, Associate Deputy Director  
Program Manager  
California Transportation Commission  
[Laura.Pennebaker@dot.ca.gov](mailto:Laura.Pennebaker@dot.ca.gov)  
(916) 653-7121

## **11. Commission Submittal of Eligible Entities to the State Controller's Office**

Pursuant to SHC Section 2034(a), a city or county must submit a project list to the Commission to be eligible for the receipt of RMRA funds, and the Commission must report to the Controller the jurisdictions that are eligible to receive funding. Upon receipt of project lists and support documentation, Commission staff will review submittals to ensure they are complete. Once a project list submittal has been received and deemed complete by staff, the city or county will be added to a list of jurisdictions eligible to receive RMRA funding as required by SHC Section 2034(a)(2). All project lists and support documentation submitted by cities and counties will be posted to the Commission's website.

The list of eligible cities and counties will be brought forward for Commission consideration at a regularly scheduled meeting where staff will request Commission direction to transmit the list to the Controller. Upon direction of the Commission, staff will transmit the list to the Controller pursuant to SHC Section 2034(a)(2) and the cities and counties included on the list will be deemed eligible to receive RMRA apportionments pursuant to SHC Section 2034 (a)(1). Upon receipt of the list from the Commission, the Controller is expected to apportion funds to the cities and counties included on the list pursuant to SHC Sections 2034(a)(2) and 2032(h).

In the event a city or county does not provide a complete project list and support documentation for Commission consideration and eligibility designation pursuant to deadlines established by these guidelines, cities and counties are expected to work cooperatively with Commission staff to provide any missing information as soon as possible. Once completed information is provided, Commission action to establish eligibility will be taken at the next earliest opportunity.<sup>3</sup>

## **V. Project Expenditure Reporting and Auditing**

### **12. Scope of Completed Project Expenditure Report**

Pursuant to SHC Section 2034(b), for each fiscal year in which an apportionment of RMRA funds is received and upon expenditure of funds, cities and counties must submit documentation to the Commission pertaining to the expenditure of those funds that includes: a description and location of each completed project, the amount of funds expended on the project, the completion date, and the estimated useful life of the improvement.

Listed below are the specific statutory criteria for the content of the completed project expenditure report along with additional guidance provided to help ensure a consistent statewide format and to facilitate accountability and transparency within the Local Streets and Roads Program.

#### **a.) Completed Project Expenditure Report – Content**

##### Development and Content

Given the emphasis SB 1 places on accountability and transparency in delivering California's transportation programs, it is vitally important that cities and counties clearly articulate the public benefit of these funds through the development of a robust Completed Project Report.

To promote statewide consistency in the content and format of completed project expenditure information submitted and to facilitate transparency and robust reporting within the Local Streets and Roads Funding Program, the following guidance is provided regarding the key components of the completed projects expenditure report. Additionally, Appendix B has been developed to provide an example of completed project expenditure report content and format.

The completed project expenditure report must cover the full fiscal year and should include projects that have completed construction and are fully operational.

##### Completed Project Description

The report must include a project description for each completed project. The city/county is encouraged to provide a brief non-technical description (up to 5 sentences) written so that the main objectives of the project can be clearly and easily understood by the public.

The level of detail provided will vary depending upon the nature of the project; however, it is highly encouraged that the project description contain a minimum level of detail needed for the public to understand exactly what work was completed.

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<sup>3</sup> Please note that the language in this section is still under development. Commission staff is currently working with staff from the Controller's office to determine the exact process and timing of how eligibility will be communicated to the Controller to allow for the apportionment of RMRA funds.

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### Completed Project Location

The report must include a project location for each completed project. The city/county is required to provide completed project location information that, at a minimum, would allow the public to clearly understand where within the community the project was constructed. For example, specific street names where improvements were undertaken and project termini should be specified. If project-specific geolocation data is available, it is highly encouraged to be included.

### The Amount of Funds Expended and the Project Completion Date

The report must include the amount of RMRA funds expended on the project and its date of completion.

### Estimated Useful Life

The report must include an estimated useful life for each completed project. The city/county is encouraged to provide information regarding the estimated useful life of the completed project that is clear, understandable, and based on industry-standards for the project materials and design.

### Technology, Climate Change, and Complete Streets Considerations

SHC Section 2030(c)-(f) specifies additional project elements that will be incorporated into RMRA-funded projects by cities and counties to the extent possible and cost effective, and where feasible. These elements are:

- Technologies and material recycling techniques that lower greenhouse gas emissions and reduce the cost of maintaining local streets and roads through material choice and construction method.
- Systems and components in transportation infrastructure that recognize and accommodate technologies including but not limited to ZEV fueling or charging and infrastructure-vehicles communications for transitional or fully autonomous vehicles.
- Project features to better adapt the transportation asset to withstand the negative effects of climate change and promote resiliency to impacts such as fires, floods, and sea level rise (where appropriate given a project's scope and risk level for asset damage due to climate change).
- Complete Streets Elements (such as project features that improve the quality of bicycle and pedestrian facilities and that improve safety for all users of transportation facilities) are expected to be incorporated into RMRA funded projects to the extent (as deemed by cities and counties) beneficial, cost-effective, and practicable in the context of facility type, right-of-way, project scope, and quality of nearby facilities.

Cities and counties are encouraged to consider all of the above for implementation, to the extent possible, cost-effective and feasible, in the design and development of projects for RMRA funding. In the event that completed projects contain technology, climate change, and complete streets considerations pursuant to SHC 2030(c)-(f). Standard reporting forms developed by the Commission will allow, cities and counties to report on the inclusion of these elements in RMRA-funded projects.

Standard reporting forms developed by the Commission will also provide space for supplementary information to be provided regarding the benefits of RMRA funded projects. Cities and counties should consider providing additional information in the

proposed project list as appropriate in order to clearly communicate how RMRA funding is being effectively put to use.

#### Other Statutory Considerations for Completed Project Reports

Pursuant to SHC Section 2037, a city or county may spend its apportionment of RMRA funds on transportation priorities other than those outlined in SHC Section 2030(b) if the city or county's average Pavement Condition Index (PCI) meets or exceeds 80. This provision however, does not eliminate the requirement for cities and counties to prepare and submit a completed project expenditure report or the requirement to consider technology, climate change, and complete streets elements to the extent possible, cost-effective and feasible, in the design and development of projects for RMRA funding.

#### **b.) Completed Project Expenditure Report – Standard Format**

To promote statewide consistency of project information submitted, a standard completed project expenditure report format using Microsoft Excel has been developed and is further explained in Appendix B.

For the initial submittal of project expenditure reports in 2017, cities and counties are required to use the standard form available here [hyperlink to excel form].

In the future, an online platform will be available so that cities and counties can quickly and easily enter completed project information online.

### **13. Process and Schedule for Project Report Submittal**

Completed Project Reports must be developed and submitted to the Commission according to the statutory requirements of SHC Section 2034(b) as outlined above in Section 12.

A city or county must submit a Completed Project Report by **October 1, 2018** to the Commission. All materials should be provided electronically. In the event a jurisdiction wishes to submit a hard copy please contact the program manager at the number below. Reports and any questions can be remitted to:

Laura Pennebaker, Associate Deputy Director  
Program Manager  
California Transportation Commission  
[Laura.Pennebaker@dot.ca.gov](mailto:Laura.Pennebaker@dot.ca.gov)  
(916) 653-7121

### **14. Commission Reporting of Project Information Received**

In order to meet the requirements of SB 1 which include accountability and transparency in the delivery of California's transportation programs, it is vitally important that the Commission clearly communicate the public benefits achieved by RMRA funds. The Commission intends to articulate these benefits through the development of an SB 1 accountability website and through other reporting mechanisms such as the Commission's Annual Report to the Legislature.

Upon receipt of completed project expenditure reports, Commission staff will review submittals to ensure they are complete. If any critical project information is missing (i.e. SHC 2034(b) requirements such as project description, location, date of completion, expenditures, and useful life of improvement) Commission staff will notify city/county staff to complete for resubmittal within 10 working days.

NOTE: These Draft Local Streets and Roads Funding Reporting Guidelines are currently under development. This information is provided in draft form, and is subject to further modification and refinement. This draft information does not represent any final determination by the Commission on any of the issues addressed in these draft guidelines.

All completed project expenditure reports submitted by cities and counties will be posted to the Commission's SB 1 Accountability website. The Commission will also analyze the completed project expenditure reports provided by cities and counties and aggregate the project information to provide both statewide and city/county level summary information such as the number, type, and location of RMRA funded projects. This information will also be provided on the Commission's SB 1 Accountability website by December 1<sup>st</sup> each year, and included in the Commission's Annual Report to the Legislature which is delivered to the Legislature by December 15<sup>th</sup> each year.

In the event a city or county does not provide a completed project expenditure report by the deadline requested (October 1<sup>st</sup> each year) to allow for Commission analysis and inclusion on the SB 1 accountability website and in the Annual Report to the Legislature, absence of the report will be noted on the website, in the Annual Report, and may be reported to the State Controller.

### **15. State Controller Expenditure Reporting and Maintenance of Effort Monitoring**

In addition to the RMRA completed project reporting requirements outlined in SHC Section 2034(b), SHC Section 2151 requires each city and county to file an annual report of expenditures for street or road purposes with the State Controller's Office. SHC Section 2153 imposes a mandatory duty on the State Controller's Office to ensure that the annual streets and roads expenditure reports are adequate and accurate. Additional information regarding the preparation of the annual streets and roads expenditure report is available online in the [Guidelines Relating to Gas Tax Expenditures for Cities and Counties](#) prepared and maintained by the State Controller's Office. These Guidelines were last updated in August 2015 and are anticipated to be updated again to address new accountability provisions of SB 1.

Expenditure authority for RMRA funding is governed by Article XIX of the California Constitution as well as Chapter 2 (commencing with Section 2030) of Division 3 of the California Streets and Highways Code (SHC).

RMRA funds received should be deposited as follows in order to avoid the commingling of those funds with other local funds:

- a.) In the case of a city, into the city account that is designated for the receipt of state funds allocated for local streets and roads.
- b.) In the case of a county, into the county road fund.
- c.) In the case of a city and county, into a local account that is designated for the receipt of state funds allocated for local streets and roads.

RMRA funds are subject to audit by the Controller pursuant to Government Code Section 12410 and SHC Section 2153. Pursuant to SHC 2036, a city or county receiving an apportionment of RMRA funds is required to sustain a maintenance of effort (MOE) by spending at least the annual average of its general fund expenditures during the 2009–10, 2010–11, and 2011–12 fiscal years for street, road, and highway purposes from the city's or county's general fund, Monitoring and enforcement of the MOE requirement for RMRA funds will be carried out by the Controller.

MOE requirements are fully articulated in statute as articulated below:

*Streets and Highways Code Section 2036*

(a) cities and counties shall maintain their existing commitment of local funds for street, road, and highway purposes in order to remain eligible for RMRA funding apportionment.

(b) In order to receive an allocation or apportionment pursuant to Section 2032, the city or county shall annually expend from its general fund for street, road, and highway purposes an amount not less than the annual average of its expenditures from its general fund during the 2009–10, 2010–11, and 2011–12 fiscal years, as reported to the Controller pursuant to Section 2151. For purposes of this subdivision, in calculating a city's or county's annual general fund expenditures and its average general fund expenditures for the 2009–10, 2010–11, and 2011–12 fiscal years, any unrestricted funds that the city or county may expend at its discretion, including vehicle in-lieu tax revenues and revenues from fines and forfeitures, expended for street, road, and highway purposes shall be considered expenditures from the general fund. One-time allocations that have been expended for street and highway purposes, but which may not be available on an ongoing basis, including revenue provided under the Teeter Plan Bond Law of 1994 (Chapter 6.6 (commencing with Section 54773) of Part 1 of Division 2 of Title 5 of the Government Code), may not be considered when calculating a city's or county's annual general fund expenditures.

(c) For any city incorporated after July 1, 2009, the Controller shall calculate an annual average expenditure for the period between July 1, 2009, and December 31, 2015, inclusive, that the city was incorporated.

(d) For purposes of subdivision (b), the Controller may request fiscal data from cities and counties in addition to data provided pursuant to Section 2151, for the 2009–10, 2010–11, and 2011–12 fiscal years. Each city and county shall furnish the data to the Controller not later than 120 days after receiving the request. The Controller may withhold payment to cities and counties that do not comply with the request for information or that provide incomplete data.

(e) The Controller may perform audits to ensure compliance with subdivision (b) when deemed necessary. Any city or county that has not complied with subdivision (b) shall reimburse the state for the funds it received during that fiscal year. Any funds withheld or returned as a result of a failure to comply with subdivision (b) shall be reapportioned to the other counties and cities whose expenditures are in compliance.

(f) If a city or county fails to comply with the requirements of subdivision (b) in a particular fiscal year, the city or county may expend during that fiscal year and the following fiscal year a total amount that is not less than the total amount required to be expended for those fiscal years for purposes of complying with subdivision (b).

## **16. Workforce Development Requirements and Project Signage**

Pursuant to SHC Section 2038, by July 1, 2023, cities and counties receiving RMRA funds must follow guidelines developed by the California Workforce Development Board that address participation & investment in, or partnership with, new or existing pre-apprenticeship training programs. Upon California Workforce Development Board adoption of guidelines and grant funding opportunities in this area, the Commission will update the Local Streets and Roads Program Guidelines to incorporate this information by reference.

To demonstrate to the public that RMRA funds are being put to work, cities and counties should consider including project funding information signage, where feasible and cost-effective, stating that the project was made possible by SB 1 – The Road Repair and Accountability Act of 2017.



## **Appendix A – Local Streets and Roads Project List Form**

To promote statewide consistency in the content and format of project information submitted to the Commission, and to facilitate transparency within the Local Streets and Roads Funding Program, Appendix A provides a standard form for cities and counties to use in submitting the proposed list of projects to the Commission. Please note that project lists included in a city or county budget may only include the elements mandated by statute: description, location, schedule for completion and useful life elements, while the form below includes more detailed project information. This will be an electronic form with drop down menus for certain fields to ensure accuracy of information provided. Eventually we hope to have an online platform and underlying data base through which cities and counties can enter project information online. For discussion purposes, examples of the nature/type of information that would be asked for is compiled below:

### General Info:

- City/County Name
- Point of Contact
- Legislative District(s)
- Jurisdiction's Average Network PCI and date/year of measurement
- Fiscal Year
- Supplementary Information<sup>4</sup> (a place for the city/county to report how RMRA projects were identified as a priority, how they demonstrate an efficient investment of public funds, and any additional benefits of the projects).

### **Proposed Project A**

#### Description:

- Brief description (up to 5 sentences) written in a non-technical way that is understandable to the public and which includes some quantifiable measurement about the project (e.g. replace 5 culverts, repave/resurface 2 miles of road, restripe 1 mile of bike lanes, etc.)
- Have city/county check boxes specifying the type of project it is based on RMRA priorities or "other" and the inclusion of additional Technology, Climate Change and Complete Streets elements (SHC 2034)

#### Location:

- Should be as specific as possible (i.e. street names and project termini) and geolocation information should be provided if available<sup>5</sup>

#### Proposed Schedule for Completion:

- Anticipated construction year

#### Estimated Useful Life:

- Should be clear, understandable, and based on industry-standards

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<sup>2,3</sup> Supplementary and location information can be used to demonstrate a variety of benefits of RMRA projects including effective prioritization of funds, equitable distribution, and efficient utilization of funding.

### **Support Documentation**

- Electronic Copy of excerpt from City/County's Adopted Budget or Budget Amendment including proposed list of projects, or the staff report specifying the projects to be included in a budget amendment
- Adopting resolution or meeting minutes to document budget/amendment approval
- Additional information regarding support documentation is available in Section 10 of the guidelines

### **Project Flexibility**

Pursuant to SHC Section 2034(a)(1), this project list shall not limit the flexibility of an eligible city or county to fund projects in accordance with local needs and priorities, so long as the projects are consistent with SHC Section 2030(b).

## **Appendix B - Local Streets and Roads Completed Project Expenditure Report Form**

This will be an electronic form with drop down menus for certain fields to ensure accuracy of information provided. Eventually we hope to have an online platform and underlying data base through which cities and counties can enter project information online. For discussion purposes, examples of the nature/type of information that would be asked for is compiled below:

### General Info:

- City/County Name
- Point of Contact
- Legislative District(s)
- Jurisdiction's Average Network PCI and year/date of measurement.
- Supplementary Information<sup>6</sup> (a spot for the city/county to report how RMRA projects were identified as a priority, how they demonstrate an efficient investment of public funds, and any additional benefits of the projects).

### **Completed Project A**

#### Description:

- Brief description (up to 5 sentences) written in a non-technical manner that is understandable to the public and which includes some quantifiable measurement about the project (e.g. replace 5 culverts, repave/resurface 2 miles of road, restripe 1 mile of bike lanes, etc.)
- Have city/county check boxes specifying the type of project it is based on RMRA priorities or "other" and the inclusion of additional Technology, Climate Change and Complete Streets elements (SHC 2034)

#### Location:

- Must be as specific as possible (i.e. street names and project termini) and geolocation information should be provided if available<sup>7</sup>

#### Amount of Funds Expended:

- Enter the amount of RMRA funds expended on the project and the total project cost
- Enter the amount and type of other funds expended on the project

#### Completion Date:

- Drop down menu to select the month and year that the project is complete/operational etc.
- Place to enter status update on multi-year projects and expected completion date

#### Estimated Useful Life:

- Should be clear, understandable, and based on industry-standards

Signage: provide a place to report on the inclusion of project funding information signage

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<sup>4,5</sup> Supplementary and location information can be used to demonstrate a variety of benefits of RMRA projects including effective prioritization of funds, equitable distribution, and efficient utilization of funding.

## **Appendix C – Local Streets and Roads Program Schedule**

FY 17-18	
Adoption of Final Guidelines Call for Project Lists	August 16-17, 2017
Technical Assistance and Outreach to Cities/Counties	August 18 – September 15, 2017
Project Lists due to Commission	September 15, 2017
Commission Adopts List of Eligible Cities and Counties	October 18-19, 2017
Commission Submits List to Controller	November 1, 2017
Controller FY 17-18 Apportionments Begin	TBD
Completed Project Report Submitted to Commission for 2017 - 2018 Fiscal Year	October 1, 2018
Commission Posts Statewide LSR Program Accountability Information Online	December 1, 2018
FY 18-19	
Guidelines Update as Needed	TBD
Call for Project Lists	March - May 2018
Commission Review, Approval & Adoption of List of Eligible Cities and Counties	March - May 2018
Commission Submits Final List to Controller	July 1, 2018
Controller FY 18-19 Apportionments Begin	Mid-August 2018
Completed Project Report Submitted to Commission for 2018 - 2019 Fiscal Year	October 1, 2019
Commission Posts Statewide LSR Program Accountability Information Online	December 1, 2019

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