

**LOS ANGELES COUNTY METROPOLITAN  
TRANSPORTATION AUTHORITY**

**TRANSPORTATION DEVELOPMENT ACT ARTICLE 3  
BICYCLE AND PEDESTRIAN FUNDS**

**FISCAL YEAR 2009-2010  
FUNDING AND ALLOCATION GUIDELINES**



## **CLAIMING TDA ARTICLE 3 LOCAL FUNDS**

### **ELIGIBILITY**

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An estimated \$5.8 million in Transportation Development Act (TDA) Article 3 bicycle and pedestrian funds are available to local agencies in Los Angeles County (all cities and the County) for Fiscal Year 2009-2010. The final amount is subject to revision based on actual receipts. These funds may be used for design and construction of pedestrian and bicycle facilities and amenities (including wheelchair ramps).

#### **Formula Allocation**

TDA Article 3 local funds are allocated to local agencies on a per-capita basis. The amount of each agency's allocation is shown on Attachment 1. Fifteen (15) percent of the total FY 2009-2010 local allocation amount will be designated to the City and County of Los Angeles, with 30 percent going to the City and 70 percent going to the County, to cover their maintenance costs on seven pre-determined regionally-significant Class I bicycle facilities. These percentages were Board approved, and are based on previous maintenance expenditures on these facilities by the City and the County.

#### **Eligible Expenses**

TDA Article 3 funds may be used for the following activities relating to pedestrian and bicycle facilities (including sidewalk wheelchair ramps):

Engineering expenses leading to construction.

Right-of-way acquisition.

Construction and reconstruction.

Retrofitting existing bicycle and pedestrian facilities, including installation of signage, to comply with the Americans with Disabilities Act (ADA).

Route improvements such as signal controls for cyclists, bicycle loop detectors, rubberized rail crossings and bicycle-friendly drainage grates.

Purchase and installation of bicycle facilities such as secure bicycle parking, benches, drinking fountains, changing rooms, rest rooms and showers which are adjacent to bicycle trails, employment centers, park-and-ride lots, and/or transit terminals and are accessible to the general public.

Up to 5 percent of total TDA Article 3 apportionment may be used to supplement other funding sources used for bicycle and safety education programs. TDA Article 3 funds, however, may not be used to fully fund the salary of any one person working on these programs.

A portion of each city's local allocation, in addition to the eligible uses listed above, may be used to develop comprehensive bicycle and pedestrian plans. These plans must emphasize the development of bicycle and pedestrian facilities intended to support utilitarian bicycle and pedestrian travel rather than solely recreational activities. A maximum of one entire allocation every five years may be used for plan development.

### ***Maintenance Eligibility***

The 15 percent maintenance funds will be added to the City and County of Los Angeles's FY 2009-2010 local allocations and may be used to the two agencies for any eligible use of TDA Article 3 funds. Their use is not restricted solely to maintenance activities. Both the City and County of Los Angeles must maintain sweeping and regular maintenance activities of the seven specified regionally-significant Class I bike paths at FY 1990-91 levels (with the exception of the Sepulveda Basin Regional Trail for which sweeping is recommended to be limited to three times per week), at a minimum, in order to continue receiving this additional maintenance funding.

Allowable maintenance activities for the locally allocated TDA Article 3 funds are limited to maintenance and repair of Class I off-street bicycle facilities only. Maintenance of all TDA Article 3-funded bicycle facilities is the sole responsibility of the local agency.

### ***GENERAL GUIDELINES***

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Local agency may only draw down local funds that will be fully spent or encumbered on eligible projects before the end of the fiscal year (June 30) in which they were allocated. Metro will forward local funds designated for draw down to the agencies upon receipt of their local claim form. Each agency must request that all remaining funds not identified for draw down be placed on reserve in County Auditor-Controller's TDA Article 3 reserve account. A claim form may be submitted at any time to Metro after the local allocations have been placed on reserve. Only funding designated for specific projects by an agency may be drawn down.

Agencies may only draw down funds if they will be fully spent or encumbered before the end of the fiscal year (June 30) in which they are allocated. Agencies may also request that Metro place their local allocations on reserve in the event that an agency does not have a project that is ready to go into construction, or that design expenses will not be made before the end of the fiscal year. Metro will then place these allocations in the reserve TDA Article 3 account with the County Auditor-Controller.

All new bicycle facility design and construction projects must satisfy the design parameters outlined in the Caltrans Highway Design Manual, Chapter 1000 (established in accordance with Section 2374 of the Streets and Highways Code).

Bikeway projects submitted for approval must be consistent with a claimant's adopted general plan or bicycle master plan. Agencies must therefore submit appropriate plans to Metro, to be kept on file, and forward subsequent plan amendments as appropriate. Projects must also comply with the Regional Transportation Plan prepared by SCAG, and Metro's Sub Regional Bikeway Master Plans. Metro will determine a project's consistency with the plans. Allocations for approved projects may be made for up to 100 percent of the project cost. Agencies are encouraged to consider projects involving multiple governmental agencies.

### ***Filing Claims***

Article 3 funds are not automatically distributed to agencies or placed on reserve. Each agency must designate the disposition of its TDA Article 3 allocation by completing the attached FY 2009-2010 TDA Article 3 Local Claim form. Agencies must use this form to identify which project(s) will be funded or for which funds will be reserved. Funds may either be drawn down (distributed for use) or placed on reserve for future use. State guidelines require that agencies specify the project(s) for which these funds are to be used. Metro will not process claims, neither for reserve nor draw-down, which do not specify the project(s) for which funding is designated. Each agency's Chief Administrative Officer, City Manager, or approved designee must sign the local claim forms.

### ***Funding, Lapsing, and Accounting***

Agencies may only draw down the funds that they can spend during the fiscal year in which they were allocated. Agencies are not allowed to have a fund balance at the end of the fiscal year. Any funds drawn down and that remain unspent after the end of the fiscal year must be returned to Metro to be placed on reserve for the city under the fiscal year in which they were originally allocated. Agencies must also fully spend any interest accumulated by these funds by the end of the fiscal year in which the funds were allocated. It is Metro's policy to retain any interest generated TDA Article 3 funds that are placed on reserve, or go unspent during the fiscal year in which they were allocated. This interest income is added to a future year's total allocation and reallocated to local agencies.

TDA Article 3 local funds may be placed on reserve for up to three years (i.e. no longer than the fourth June 30 after they were made available by Metro Board action). Agencies may accumulate three years worth of reserved TDA Article 3 local funds before being required to obligate them or return them to the TDA Article 3 fund. Any funds left on reserve by the local agency longer than three years are subject to lapse and future reallocation. **For FY 2009-2010, any TDA Article 3 funds left on reserve for FY 2005-2006 are subject to lapse if not claimed by the agency by June 30, 2010.** Agencies with reserved funds should draw down these funds before drawing down newer allocations in order to avoid any potential future lapses. Exceptions to this

lapsing policy may be made by Metro on a case-by-case basis for agencies accumulating their annual allocations for future use on specific eligible projects.

Metro's processing of a local agency's allocation is contingent on the amount of available TDA Article 3 funds since these funds are allocated to Metro by the State on a monthly basis. Local claims will be held by Metro if the amount being claimed exceeds the amount of available TDA Article 3 funds. The claims will be processed, as sufficient funds are made available to Metro. Metro will then fill all claims on a monthly basis until the amount of the annual claim and/or previous year's reserved claim are fully paid.

***Other References***

Agencies should refer to the following instructions along with the TDA Statutes and California Code of Regulations for 2007.

## **TDA ARTICLE 3 LOCAL CLAIM FORM INSTRUCTIONS**

### ***Part I - Claimant Information***

- Claimant:** Enter the name of the agency filing the claim. Eligible agencies include the County of Los Angeles and all cities within the County.
- Payment Recipient:** Enter the address and person (including title) to whom the payment should be transmitted by the County Auditor. This address will be used for transmitting all correspondence regarding this claim unless the claimant provides a different address on a separate sheet.
- Contact Person:** Enter the name, phone number, and e-mail address of the staff member that should be contacted for questions regarding the claim.

### ***Part II - Draw-downs for use in Present Year***

- Payment from FY 2009-2010 TDA Article 3 Funds:** Enter the amount of local allocation needed to cover estimated expenditures of Fiscal Year 2009-2010. Estimate FY 2009-2010 Allocation Amounts were approved by Metro Board in June.
- Payments from Prior Year Reserves:** An agency may request that previous allocations held in reserve be drawn-down if the agency will spend the funds before the end of the fiscal year in which this claim is filed. The agency must list both the fiscal year in which the reserved allocation was originally programmed and the amount to be drawn down.
- Total Payment Requested:** The sum of the amount of FY 2009-2010 TDA Article 3 funds requested **plus** any past year's reserved allocation being requested. Enter zero (0) if FY 2009-2010 funds are being placed on reserve, and no previously reserved allocations are being requested.
- Reserve FY 2009-2010 TDA Article 3 Funds:** Enter the amount of FY 2009-2010 funds to be placed on reserve. This should be equal to the allocation amount less the amount requested for immediate payment.

### ***PART III - Statement of Revenue and Expenditures***

This section should reflect the overall status of TDA Article 3 funds held on hand by your agency.

- Balance:** Line 1: FY 2008-2009 Beginning Year Balance must equal the FY 2007-2008 End-of-Year shown in you TDA Article 3 Audit. Fund Balance shown in each agency's TDA Article 3 audit. The estimated FY 2009-2010 Beginning Year Balance must equal the FY 2008-2009 End-of-Year Balance on Line 8 of this form.
- Revenue:** Line 2: Payments Received from Auditor-Controller: Actual payments received from County Auditor during a particular fiscal year, including payment from prior-year reserves.
- Line 3: Interest: Amount of interest accrued for funds on hand.
- Line 4: TOTAL FUNDS AVAILABLE: Sum of Beginning Year Balance, Payments Received from Auditor-Controller, and Interest (**Sum of Lines 1, 2 and 3**).
- Expenditures:** Line 5: Construction/Maintenance: Project expenditures.

- Line 6: Refunds to Auditor-Controller: Unexpended Article 3 funds returned to the County Auditor. May include funds to be placed on reserve in accordance with guidelines above.
- Line 7: TOTAL EXPENDITURES: Sum of Construction/Maintenance and Refunds (Lines 5 and 6).
- Line 8: Year-End Balance: Difference of Total Funds Available (Line 4), minus Total Expenditures (Line 7). This must equal zero (0) for estimated FY 2009-2010 Year End Balance.

**PART IV - Projects to be Funded by TDA Article 3 Funds:**

List all projects on which TDA Article 3 funds will be spent.

- Project Name:** Enter each project's common name or title (i.e. "Mid-Valley Bikeway").
- Total Project Budget:** Enter the total project amount, including all funding sources and all prior and future year expenditures.
- TDA Article 3:** Enter amount of TDA Article 3 funds budgeted for or spent on this project, including prior and future years' TDA Article 3 funds if applicable.
- Other Local Sources:** Enter all non-TDA Article 3 funds used for this project if applicable.
- Estimated Start/ Completion Dates:** Indicate the month and year in which work on the project will begin\_and end.
- Authorizing Signature:** The claim's original copy must be signed by the claimant's Chief Administrative Office, City Manager, or approved designee. Please include title and date of signature.

**Submitting Claim Forms**

TDA Article 3 claim forms should be mailed to the following address upon completion:

Los Angeles County Metropolitan Transportation Authority  
 One Gateway Plaza  
 Los Angeles, CA 90012  
 Attention: Susan Richan  
 MS: 99-23-4

**TDA ARTICLE 3 BICYCLE AND PEDESTRIAN FUNDS  
FISCAL YEAR 2009-2010 LOCAL ALLOCATION FORM-CLAIM**

**PART I: CLAIMANT INFORMATION**

CLAIMANT:	
PAYMENT ADDRESS:	
ATTENTION:	
CONTACT PERSON'S PHONE AND E-MAIL:	

**PART II. DRAWDOWNS FOR USE IN PRESENT FISCAL YEAR:**

(note: claim only the amount of funds that can be expended by June 30, 2010; Place the difference on reserve)

Requested Action (check all that apply):	Enter (\$) Amount
<input type="checkbox"/> Drawdown (payment) FY 2009-2010 Apportionment – FY10	\$
<input type="checkbox"/> Payment from Prior Year(s) Reserve – FY06, FY07, FY08, FY09	\$
<b>TOTAL PAYMENT REQUESTED</b>	\$
<input type="checkbox"/> Reserve FY10 (Entire/Partial Apportionment) Balance or Reserve	\$

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**PART III. STATEMENT OF REVENUE AND EXPENDITURES:**

	FY 2008-2009 (Actual)	FY 2009-2010 (Estimated)
1. Beginning Year Balance		
<b>REVENUE:</b>		
2. Payments Received from Auditor-Controller		
3. Interest		
4. Total Funds Available (sum of lines 1, 2, & 3)		
<b>EXPENDITURES:</b>		
5. Construction / Maintenance		
6. Refunds to Auditor-Controller		
7. Total Expenditures (sum of lines 5 & 6)		
8. Year End Balance (subtract line 7 from line 4)		<b>\$0</b>

**PART IV. PROJECTS TO BE FUNDED BY TDA ARTICLE 3 FUNDS:**

Project Title / Description	Total Project Budget	Funding Sources		Estimated Schedule	
		TDA Article 3	Other Local Sources	Start Date	Completion Date
<b>TOTALS (\$):</b>					

**CONDITION OF APPROVAL:** Approval of this claim and payment by the County Auditor to this claimant are subject to the monies being available and to the provisions that such monies will be used only in accordance with the Allocation Instructions.

X  
 \_\_\_\_\_  
 Signature of Agency's Chief Administrative Officer, Date Print Name and Title  
 City Manager, or approved designee

-----\*\* For METRO Use Only \*\*-----  
 The LACMTA project manager \_\_\_\_\_ on \_\_\_\_\_ (date) has received the above city's  
 FY 2009-2010 TDA Article 3 Bicycle & Pedestrian Funds Claim Form.

***SAMPLE AMENDMENT REQUEST***

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The attached form should be used if an agency intends to revise to previous TDA Article 3 allocations, projects, programs, or to program interest accumulated on existing Local or Regional fund balances. The agency's Chief Administrative Offices, City Manager or approved designee must sign this form.

**TDA ARTICLE 3 PEDESTRIAN AND BICYCLE FUNDS  
AMENDMENT REQUEST**

**DATE:** \_\_\_\_\_

**FROM:** Chief Administrative Officer  
or City Manager: \_\_\_\_\_  
Agency Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Phone/Fax: \_\_\_\_\_  
E-mail: \_\_\_\_\_

**TO:** Frank Flores  
Executive Officer  
Programming & Policy Analysis  
Los Angeles County Metropolitan  
Transportation Authority  
One Gateway Plaza  
Los Angeles, CA 90012  
Attention: Susan Richan

**SUBJECT: TDA ARTICLE 3 AMENDMENT REQUEST**

The (Agency's name) \_\_\_\_\_ wishes to amend its Transportation Development Act Article 3 Pedestrian and Bicycle funds in the following manner:

\_\_\_\_\_ Reallocate \$ \_\_\_\_\_ of FY \_\_\_\_\_ TDA Article 3 funds from the \_\_\_\_\_ project(s) to the \_\_\_\_\_ project(s) . Project Information Forms\* are attached for the new projects.

\_\_\_\_\_ Reallocate \$ \_\_\_\_\_ of unexpended carryover funds from all previous project(s) to the \_\_\_\_\_ project (s) . . Project Information Forms\* are attached for the new projects.

\_\_\_\_\_ Revise the \_\_\_\_\_ project description, cost, or limits as shown on the attached Project Information Form. \*

\_\_\_\_\_ Other \_\_\_\_\_