Council Priority: {ResProject:ClearLine}

Summary Title: Adoption of Resolution for Transportation Funds

Title: Adoption of a Resolution Authorizing the City Manager to File an Application for 2011/2012 Transportation Development Act Funds in the Amount of $55,597 for Bicycle and Pedestrian Projects

From: City Manager

Lead Department: Planning and Community Environment

Recommendation
Staff recommends that Council adopt the attached Resolution (Attachment A) authorizing submittal of Transportation Development Act (TDA) grant application documents for Fiscal Year 2011-12 requesting $55,597 for Bicycle Detection at traffic signals in the City of Palo Alto.

Background
The Santa Clara Valley Transportation Authority (VTA) issued a call for bicycle and pedestrian projects on February 24, 2011 for the Fiscal Year 2011-12 Transportation Development Act – Article 3 funding program. The deadline to submit project applications to VTA was on April 15, 2011 (with which staff complied). A Resolution adopted by the City Council supporting the project submittals is due to VTA on May 27, 2011. VTA staff will review the project proposals for eligibility, completeness and compliance. The resulting countywide list of projects will be reviewed by the VTA Advisory Committees before adoption by the Board of Directors in June. The countywide list will be forwarded to the Metropolitan Transportation Commission and MTC will issue funding allocations in the fall.

There are two components to the TDA –Article 3 program in Santa Clara County:

1. Bicycle Expenditure Program
Per VTA Board policy, 25% of Santa Clara County’s TDA fund is dedicated for projects that are on the Valley Transportation Plan 2030 Countywide Bicycle Plan Bicycle Expenditure Program (BEP) list. There is $150,000 available for BEP capital projects this year. Palo Alto is not requesting funds under the Bicycle Expenditure Program for this fiscal year.
2. **Guarantee Funds**

The remaining 75% of this year's TDA funds ($1,008,742) will be assigned to the Guarantee Fund. The monies in the Guarantee Fund are distributed to local jurisdictions on a population-based apportionment formula. These monies are available to local jurisdictions exclusively for eligible projects of their choosing as per TDA guidelines. There is no competition amongst local jurisdictions to acquire these funds for eligible projects. Palo Alto’s total guaranteed amount, including banked funds from the previous year, is $55,597, the amount of funding requested for this project.

**Discussion**

Staff proposes to request an allocation of $55,597 in TDA funds this year from the City’s Guarantee share for the Bicycle Detection at Traffic Signals project. This project consists of installing microwave-based detectors at signalized intersections that distinguish between bicycles and vehicles. Only when bicycles are detected will an input to the traffic signal controller be provided allowing for the implementation of dynamic bicycle signal timing strategies such as longer minimum greens or extended green indications to help bicyclists better clear larger intersections. The detectors also allow the City to collect bicycle counts to monitor trends in bicycle-commute patterns. The detectors will be installed along bicycle lane and bicycle boulevard routes. This project will provide for both equipment procurement and installation.

**Palo Alto Bicycle Advisory Committee Review (PABAC)**

As required by the MTC grant application policies, the project mentioned above was reviewed by PABAC at its April 5th meeting and the committee supports this project and funding for its implementation.

**TDA Grant Requirements**

The TDA grant funds are allocated on a three-year basis. The funds are claimed by the City on a reimbursement basis. MTC requires that City Council adopt a Resolution authorizing staff to submit applications requesting TDA funding. The findings attached to the resolution as Exhibit A are required by MTC; this staff report provides the background supporting those findings.

**Resource Impact**

No local match is required for TDA Guarantee funds. However, because TDA funds are disbursed on a reimbursement basis, the City will have to spend the budgeted funds and then apply for reimbursement by TDA funds. The capital funding and the staff resources in the Planning and Transportation Division are available to implement this project in the coming years.

**Policy Implications**

The recommended actions in this report are consistent with Comprehensive Plan transportation policies, the Bicycle Transportation Plan and the Transportation Strategic Plan.
Environmental Review
The proposed installation of bicycle detectors at traffic signals is a minor upgrade to existing residential and commercial street right-of-way and would not result in any new impacts to the existing environment. This project is considered as a minor alteration to the existing street system, and is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301(c).

ATTACHMENTS:

- A: Resolution 2011-2012 Bicycle and Pedestrian Projects (DOC)
- B: TDA Article 3 Project Application Form (DOC)
- C: Memorandum from Santa Clara Valley Transportation Authority (PDF)

Prepared By: Ruchika Aggarwal,
Department Head: Curtis Williams, Director
City Manager Approval: James Keene, City Manager
Resolution No. _____
Resolution of the Council of the City of Palo Alto Authorizing
the City Manager to File an Application for 2011/2012
Transportation Development Act Funds for Bicycle
and Pedestrian Projects

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public
Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional
transportation planning agency for the funding of projects exclusively for the benefit and/or use
of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional
transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution
No. 875, Revised, entitled “Transportation Development Act, Article 3, Pedestrian/Bicycle
Projects,” which delineates procedures and criteria for submission of requests for the allocation
of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests for the
allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated
claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Palo Alto desires to submit a request to MTC for the
allocation of TDA Article 3 funds to support the project described in Attachment B to this
resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists.

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVE as
follows:

SECTION 1. The City of Palo Alto declares it is eligible to request an allocation of
TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.

SECTION 2. There is no pending or threatened litigation that might adversely affect
the project described in Attachment B to this resolution, or that might impair the ability of the
City of Palo Alto to carry out the project.

SECTION 3. The City of Palo Alto attests to the accuracy of and approves the
findings set forth in Attachment A to this resolution.

SECTION 4. A certified copy of this resolution and its attachments, and any
accompanying supporting materials shall be forwarded to the congestion management agency,
countywide transportation planning agency, or county association of governments, as the case
may be, of County of Santa Clara for submission to MTC as part of the countywide coordinated
TDA Article 3 claim.
SECTION 5. The Council finds that the project described in Attachment B to this Resolution is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA guidelines section 15301(c).

INTRODUCED AND PASSED:

AYES: 

NOES: 

ABSENT: 

ABSTENTIONS: 

ATTEST:

__________________________ ______________________________

City Clerk Mayor

APPROVED AS TO FORM: APPROVED:

______________________________

Sr. Deputy City Attorney City Manager

______________________________

Director of Planning and Community Environment

______________________________

Director of Administrative Services
ATTACHMENT A

The Council of the City of Palo Alto hereby makes the following findings:

1. That the City of Palo Alto is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the City of Palo Alto legally impeded from undertaking the project described in “Attachment B” of this resolution.

2. That the City of Palo Alto has committed adequate staffing resources to complete the project described in Attachment B.

3. A review of the project described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project.

4. Issues attendant to securing environmental and right-of-way permits and clearances for the project described in Attachment B has been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.

5. That the project described in Attachment B complies with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.); it is exempt from CEQA review pursuant to CEQA Guidelines section 15301(c).

6. That as portrayed in the budgetary description of the project in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s). No sources of funding other than this grant are required for completion of this project.

7. That the project described in Attachment B is for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the City of Palo Alto within the prior five fiscal years.

8. That the project described in Attachment B which is a bicycle project has been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).

9. That any project described in Attachment B that is a “Class I Bikeway,” meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.

10. That the project described in Attachment B is ready to commence implementation during the fiscal year of the requested allocation.

11. That the City of Palo Alto agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.
Palo Alto Bicycle Detection at Traffic Signals Project:

This project will provide for the procurement and installation of microwave-based detection units for deployment at signalized intersections that can distinguish between bicycles and vehicles. Detecting bicycle-only demand allows for traffic signal timing features that focused on enhancing bicyclist to be deployed dynamically. Examples of bicycle-focused signal timing features include longer Minimum Green or Maximum Green timing strategies to assist bicyclists in progressing through an intersection before the traffic signal cycles to the next vehicle movement. The microwave-based detection units will be deployed along high bicycle-use corridors such as Bicycle Boulevard or Bike Lane corridors.
ATTACHMENT B

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2011/2012  Applicant: City of Palo Alto

Contact person: Ruchika Aggarwal

Mailing Address: P.O. Box 10250 Palo Alto CA 94303

E-Mail Address: ruchika.aggarwal@cityofpaloalto.org  Telephone: 650-617-3136

Secondary Contact (in event primary not available): Jaime Rodriguez

E-Mail Address: Jaime.rodriguez@cityofpaloalto.org  Telephone: 650-329-2136

Short Title Description of Project: Bicycle Discrimination at Traffic Signals

Amount of claim: $55,597

Functional Description of Project:
This project consists of installing microwave-based technology that discriminate between bicycles and vehicles on the roadway to detect and implement bicycle-focused traffic signal timing strategies at signalized intersections along bicycle boulevards (a Class II bikeway) and other bicycle route facilities.

Financial Plan:
List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, inspection, contingency, audit). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments.

Project Elements: Cost includes purchasing the detectors units, labor, installation and contingencies.

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>All Prior FYs</th>
<th>Application FY</th>
<th>Next FY</th>
<th>Following FYs</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>TDA Article 3</td>
<td></td>
<td>55,597</td>
<td></td>
<td></td>
<td>55,597</td>
</tr>
</tbody>
</table>

Project Eligibility:

<table>
<thead>
<tr>
<th></th>
<th>YES?/NO?</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Has the project been approved by the claimant's governing body? (If &quot;NO,&quot; provide the approximate date approval is anticipated). Approval is anticipated on May 9th.</td>
</tr>
<tr>
<td></td>
<td>no</td>
</tr>
<tr>
<td>B.</td>
<td>Has this project previously received TDA Article 3 funding? If &quot;YES,&quot; provide an explanation on a separate page.</td>
</tr>
<tr>
<td></td>
<td>no</td>
</tr>
<tr>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>D.</td>
<td>Has the project been reviewed by a Bicycle Advisory Committee? (If &quot;NO,&quot; provide an explanation).</td>
</tr>
<tr>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>E.</td>
<td>Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).</td>
</tr>
<tr>
<td></td>
<td>no</td>
</tr>
<tr>
<td>F.</td>
<td>Will the project be completed before the allocation expires? Enter the anticipated completion date of project: June 2012</td>
</tr>
<tr>
<td></td>
<td>yes</td>
</tr>
<tr>
<td>G.</td>
<td>Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility, provide its name)</td>
</tr>
<tr>
<td></td>
<td>yes</td>
</tr>
</tbody>
</table>
Short description of the project:

This project will provide for the installation of bicycle discrimination detection equipment at signalized intersections along Bike Boulevards/Route facilities. The bicycle discrimination will allow the city to implement dynamic bicycle-focused signal timing strategies for improved accessibility and safety. This project will provide for both equipment procurement and installation.
MEMORANDUM

TO: TDA Article 3 Bicycle and Pedestrian Program Grant Applicants
    Technical Advisory Committee Members

FROM: Bill Hough, Transportation Planner III

DATE: February 24, 2011

SUBJECT: Call for Projects, Transportation Development Act Article 3
         FY 2011/12 Program

TDA Article 3 Funds Available

This memorandum serves as the General Call-for-Projects for the FY 2011/12
Transportation Development Act (TDA) Article 3 Program funding cycle. There are two
components to the TDA Article 3 program:

1. Bicycle Expenditure Program
   The VTA Board of Directors took action on December 9, 2004 to dedicate 25% of Santa
   Clara County’s TDA Article 3 funds to projects on the countywide Bicycle Expenditure
   Program (BEP) list through 2030. On November 5, 2009, the Board committed $150,000
   of the TDA3 BEP set-aside to County Expressway Pedestrian Projects.
   Therefore, there is $150,000 available for BEP projects this year. Projects must be on
   the current Board-adopted BEP project list. BEP project sponsors must submit
   MTC’s TDA Article 3 Project Application Form. Project sponsors must include a
   transmittal letter that states when they expect the project begin construction. In the
   event that BEP applications are oversubscribed, preference will be given to projects
   that are ready for construction and/or have other funding sources that could be
   jeopardized if the project is not delivered in a timely manner.

2. Guarantee Funds
   Table 1 below shows each city and the County’s “Guarantee” share of MTC’s TDA
   Article 3 Fund Estimate. There is $1,008,742 available for “Guarantee” projects this year.
   The guarantee share is based on California Department of Finance (DOF) population
   projections and funds banked or rescinded from previous years, where applicable. An
   agency’s total applications cannot exceed its guarantee share listed in the following
   table:
Table 1

<table>
<thead>
<tr>
<th>Agency</th>
<th>Guarantee Amount (Includes banked and rescinded funds from prior years.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campbell</td>
<td>$19,552</td>
</tr>
<tr>
<td>Cupertino</td>
<td>$103,179</td>
</tr>
<tr>
<td>Gilroy</td>
<td>$24,895</td>
</tr>
<tr>
<td>Los Altos</td>
<td>$13,811</td>
</tr>
<tr>
<td>Los Altos Hills</td>
<td>$7,677</td>
</tr>
<tr>
<td>Los Gatos</td>
<td>$14,739</td>
</tr>
<tr>
<td>Milpitas</td>
<td>$34,238</td>
</tr>
<tr>
<td>Monte Sereno</td>
<td>$6,670</td>
</tr>
<tr>
<td>Morgan Hill</td>
<td>$19,258</td>
</tr>
<tr>
<td>Mountain View</td>
<td>$36,264</td>
</tr>
<tr>
<td>Palo Alto</td>
<td>$55,597</td>
</tr>
<tr>
<td>San Jose</td>
<td>$489,546</td>
</tr>
<tr>
<td>Santa Clara</td>
<td>$56,860</td>
</tr>
<tr>
<td>Saratoga</td>
<td>$15,311</td>
</tr>
<tr>
<td>Sunnyvale</td>
<td>$67,205</td>
</tr>
<tr>
<td>Santa Clara County</td>
<td>$43,942</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,008,742</strong></td>
</tr>
</tbody>
</table>

**Rescind/Reallocation Requests**

The guidelines for rescinding and reallocating TDA Article 3 projects have been amended by MTC. Previously, sponsors were allowed to rescind projects and reallocate the funds to other projects immediately. However, agencies may now only allocate up to their estimate in any given year. Sponsors may still rescind projects, but VTA cannot reallocate them until the next TDA funding cycle. Funds rescinded in 2011 will be added to the sponsor’s guarantee in 2012.

It is the responsibility of the project sponsor to monitor project expiration deadlines and to apply for rescind/reallocation of funds in a timely manner. Failure to do so will result in the sponsor losing the funds.

**Banking of Funds**

TDA Article 3 funds may be banked for up to two years plus one year to program funds. To bank TDA funds, project sponsors must submit a letter or email stating that funds will be banked. If banked funds are not programmed by the end of the 3rd Year, they will be redistributed to the countywide TDA Article 3 pool for the following fiscal year. If you are planning to bank funds, please send a letter or email to that effect to Bill Hough at the address below. **A member agency must inform VTA in writing of its intent to either claim or bank its TDA3 guarantee funds; failure to do so means that the funds revert to the countywide pool in the next cycle.**
**Project Types and Guidelines**

*Your TDA Article 3 project must be ready to implement within ONE year of the application cycle.*

**Eligible Project Types**

The following project types are eligible for TDA Article 3 Funding:

- Design & construction of on and off-street bicycle facility projects – including but not limited to bicycle parking.
- Design & construction of on and off-street pedestrian facility projects
- Maintenance of Class I bikeways (unlimited)
- Maintenance of Class II bikeways. Countywide, the total funds allocated to Class II bikeway maintenance cannot exceed 20% of the total countywide TDA estimate. Call Bill Hough at (408) 321-5735 if you plan to exceed 20% of your agency’s guarantee amount.
- Bicycle Safety Education Programs (not more than 50% of the project’s budget and not more 5% of the countywide TDA Article 3 funds)
- Comprehensive Bicycle & Pedestrian Facilities Plans (not more than once per jurisdiction every 5 years)
- Projects identified in a recent (within 5 years) comprehensive local bicycle or pedestrian plan
- Annual TDA Article 3 Audits

**Other Eligibility & Procedural Issues**

Environmental clearance is required for construction projects only. If you are submitting an application for design, you are not required to submit a County stamped notice. Additional information on the TDA Article 3 procedures and criteria can be found in the MTC TDA Article 3 Rules and Procedures, which is available on the Metropolitan Transportation Commission website at: [http://www.mtc.ca.gov/funding/STA-TDA/RES-0875.doc](http://www.mtc.ca.gov/funding/STA-TDA/RES-0875.doc)

**Bicycle Advisory Committee and Bicycle Plan Requirement**

Cities and counties may not receive TDA Article 3 funds for bicycle projects unless the jurisdiction has established a Bicycle Advisory Committee (BAC) and the project is included in an adopted plan as stipulated in the MTC TDA Article 3 Rules and Procedures. This requirement does not apply to pedestrian projects.

**VTA Bicycle Technical Guidelines**

The VTA Board of Directors approved the *VTA Bicycle Technical Guidelines* update on December 13, 2007. The purpose of the Guidelines is to provide a uniform set of optimum standards for the planning, design, and construction of bicycle facilities that are part of the countywide bicycle system. Bicycle projects funded by TDA Article 3 funds
must comply with the *Guidelines*. For a copy of this document, please contact Michelle DeRobertis at (408) 321-5716 or Michelle.DeRobertis@vta.org. It is also available on the VTA website at http://www.vta.org/schedules/bikeways_program.html

**Application Submittals**

MTC’s TDA Article 3 Project Application Form and resolution boilerplate is located at: http://www.mtc.ca.gov/funding/sta-tda/tda_article_3_claim_forms.doc

Project sponsors must use this form to submit applications. Late applications will not be accepted.

Complete one application for each project. PLEASE NOTE: VTA should receive 2 copies of each project application.

### 2011/12 TDA Article 3 Detailed New Project Submittal Requirements

<table>
<thead>
<tr>
<th>Number of Copies</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 per agency</td>
<td>Cover letter that indicates whether application is for guarantee and/or BEP funding. The cover letter must include a statement that the project must be ready to implement within ONE year of the application cycle.</td>
</tr>
<tr>
<td>2 per agency</td>
<td>Governing body resolution wording and Council Resolution supporting the project(s) (due on May 27, 2011). The sample is on the Metropolitan Transportation Commission website: <a href="http://www.mtc.ca.gov/funding/STA-TDA/">http://www.mtc.ca.gov/funding/STA-TDA/</a></td>
</tr>
<tr>
<td>2 per project</td>
<td>MTC’s TDA Article 3 Application (<em>See Application Form – available on the Metropolitan Transportation Commission website: <a href="http://www.mtc.ca.gov/funding/STA-TDA/">http://www.mtc.ca.gov/funding/STA-TDA/</a></em>)</td>
</tr>
<tr>
<td>2 per project</td>
<td>A vicinity map showing the project’s general location in your jurisdiction</td>
</tr>
<tr>
<td>2 per project</td>
<td>A detail map showing the project and phases where applicable</td>
</tr>
<tr>
<td>2 per project</td>
<td>Documentation of environmental clearance (<em>for applicable projects</em>). The county clerk must stamp the environmental document.</td>
</tr>
</tbody>
</table>

Completed project applications should be submitted to VTA by 4:00 p.m. on **Friday, April 15, 2011**.

Please send applications to:

**Bill Hough, Transportation Planner III**  
**Santa Clara Valley Transportation Authority**  
**Programming & Grants**  
**3331 North 1st St., Bldg. B2**  
**San Jose, CA 95134-1906**
Evaluation Process, Programming and Drawing Programmed Funds

VTA staff will review project applications. The resulting countywide program will be reviewed by the VTA advisory committees before adoption by the VTA Board of Directors at its June 2011 meeting.

The VTA Board adopted project priorities will be forwarded to MTC for review and adoption. Once MTC has adopted the program, MTC’s Finance Section will issue allocation instructions to your agency. Please read these instructions carefully, they will provide your agency with guidance on invoicing and annual audit and reporting requirements. **All project invoicing goes directly to MTC.** All work must be completed by June 30, 2014 and **MTC needs to receive reimbursement requests by August 1, 2014.**

TDA Audit Information

In accordance with MTC Resolution 875, all claimants that have received an allocation of TDA funds are required to submit an annual fiscal and compliance audit to MTC and to the Secretary of Business and Transportation Agency within 180 days after the close of the fiscal year. **Your audits are due to MTC by December 31 of each year.** Failure to submit the audit will prohibit MTC from making a new TDA allocation. If no TDA funds were expended during the fiscal year, the applicant should file a statement to that effect with MTC. Please contact MTC’s TDA program manager Bob Bates, at 510-817-5733 or bbates@mtc.ca.gov, for additional information on audit requirements.