



City of Palo Alto

City Council Staff Report

(ID # 6824)

Report Type: Consent Calendar

Meeting Date: 5/16/2016

Summary Title: Resolution-Transportation Dev. Act Funds Application

Title: Adoption of a Resolution Authorizing the City Manager to File an Application for 2016/2017 Transportation Development Act Funds in the Amount of \$203,463 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 2016-17 requesting \$203,463 for Bicycle and Pedestrian Projects.

Background

The Santa Clara Valley Transportation Authority (VTA) issued a call for bicycle and pedestrian projects on March 3, 2016 for the Fiscal Year 2016-17 Transportation Development Act - Article 3 funding program. The deadline to submit project applications to VTA was on April 8, 2016 (with which staff complied). A Resolution adopted by the City Council supporting the project submittals is due to VTA on May 27, 2016. 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 Transportation Development Act - Article 3 funding 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. Last year, VTA received two applications for BEP projects requesting the entire amount. The VTA Board programmed last year's BEP set-aside funding for one of those projects and dedicated this year's BEP funding to the second project. Therefore, VTA is not accepting applications for BEP set-aside projects this year.

2. Guarantee Funds

The remaining 75% of this year's TDA funds (\$1,962,399) 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 previous years, is \$203,463, the amount of funding requested for this project.

Discussion

Staff proposes to request an allocation of \$203,463 in TDA funds this year from the City's Guarantee share for the implementation of bicycle boulevards on Bryant Street, Maclane Street-Wilkie Way-Miller Avenue-Del Medio Avenue, Maybell Avenue, Park Boulevard, Stanford Avenue, and other corridors as identified in the *Bicycle and Pedestrian Transportation Plan*. City Council approved concept plans for these projects in 2015. As required by the MTC grant application policies, the projects mentioned below were reviewed by Palo Alto Pedestrian and Bicycle Advisory Committee (PABAC) and the committee supports these projects and effort to secure funding for their implementation.

- Bryant Street Bicycle Boulevard Extension - on Bryant Street, the bicycle boulevard will be expanded to the southern limits of the city at San Antonio Avenue via Nelson Drive and MacKay Drive.
- Maybell Avenue Bicycle Boulevard – this bicycle boulevard provides a new east-west bicycle connection between El Camino Way and Arastradero Road. The route begins on El Camino Way and West Meadow Drive and continues on Maybell Avenue to Donald Drive and Georgia Avenue. The route will serve both commuter bicyclists to the Stanford Research Park and students at Gunn High School, Terman Middle School, Juana Briones Elementary School, and Barron Elementary School.
- Park Boulevard-Stanford Avenue Bicycle Boulevard - on Park Boulevard, the bicycle boulevard will be expanded to Charleston Road. The existing Park Boulevard bicycle boulevard is the City's most highly used bicycle corridor. The route services students as well as commuter bicyclists and provides a direct connection to the California Avenue business district. The project includes Stanford Avenue between Park Boulevard and El Camino Real.
- Maclane Street-Wilkie Way-Miller Avenue-Del Medio Avenue Bicycle Boulevard – this bicycle boulevard connects Wilkie Way with the Park Boulevard bicycle boulevard via Maclane Street, providing a continuous north-south route from Palo Alto High School to the south city limits via Miller Avenue. The route services both commuter bicyclists and student bicyclists providing a more convenient alternative to both the Alma Street and

El Camino Real corridors.

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. There are sufficient resources in Capital Improvement Project PL-04010, Bicycle and Pedestrian Plan Implementation Project, to cover these costs. Overall, there will be \$203,463 in revenue realized from the approval of this item.

Policy Implications

The recommended actions in this report are consistent with *Comprehensive Plan, Bicycle and Pedestrian Transportation Plan* and the *Transportation Strategic Plan*.

Environmental Review

The Council approved a Mitigated Negative Declaration for the Bicycle and Transportation Plan. The proposed implementation of bicycle boulevards 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:

- Attachment A: Resolution 2016-2017 Bicycle and Pedestrian Projects (PDF)
- Attachment B: TDA Article 3 Project Application Form (PDF)
- Attachment C: Memorandum from Santa Clara Valley Transportation Authority (PDF)

NOT YET APPROVED

Resolution No. _____

Resolution of the Council of the City of Palo Alto Authorizing the City Manager to File an Application for 2016/2017 Transportation Development Act Funds in the Amount of \$203,463 for Bicycle and Pedestrian Projects

R E C I T A L S

A. 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.

B. The Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding.

C. MTC Resolution No. 4108 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.

D. The City of Palo Alto desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

NOW, THEREFORE, the Council of the City of Palo Alto does RESOLVES 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 or projects 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 project has been reviewed by the Palo Alto Bicycle Advisory Committee (PABAC) of City of Palo Alto.

SECTION 4. The City of Palo Alto attests to the accuracy of and approves the statements in Attachment A to this resolution.

SECTION 5. 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 Santa Clara County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

INTRODUCED AND PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

City Clerk

Mayor

APPROVED AS TO FORM:

APPROVED:

Senior Asst. City Attorney

City Manager

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(s) described in "Attachment B" of this resolution.
2. That the City of Palo Alto has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) 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(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have 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(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are 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(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
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.

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2016/2017 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): Joshuah Mello

E-Mail Address: Joshuah.Mello@CityofPaloAlto.org Telephone: 650.329.2136

Short Title Description of Project: Implementation of Bicycle Boulevards on Bryant Street, Maybell Avenue, Park Boulevard, Wilkie Way and other bicycle improvement projects as identified in the 2012 adopted Bicycle and Pedestrian Plan for Palo Alto.

Amount of claim: \$203,463

Functional Description of Project:

1. On Bryant Street, the bicycle boulevard will be expanded to the southern limits of the city at San Antonio Avenue via Nelson Drive and MacKay Drive.
2. Maybell Bicycle Boulevard provides a new east-west bicycle connection between El Camino Way and Arastradero Road. The route begins on El Camino Way & W Meadow Drive, continues on Maybell Avenue, to Donald Drive, and Georgia Avenue. The route will serve both commuter bicyclists to the Stanford Research Park and students at Gunn High School, Terman Middle School, Juana Briones Elementary School, and Barron Elementary School.
3. On Park Boulevard, the bicycle boulevard will be expanded to the Charleston Road. The existing Park Boulevard Bicycle Boulevard is the City's second highest bicycle corridor. The route services students as well as commuter bicyclists and provides a direct connection to the California Avenue Business District. The project includes Stanford Avenue between Park Boulevard and El Camino Real.
4. Wilkie Way Bicycle Boulevard connects with the Park Boulevard Bicycle Boulevard via MacLane Street providing a continuous north-south route from Palo Alto High to the South City Limits via Miller Avenue. The route services both commuter bicyclists and student bicyclists providing a more convenient alternative to both the Alma Street and El Camino Real corridors.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: All of the above projects Boulevard project will include traffic calming measures, enhanced bicycle and pedestrian facilities, as well as Bicycle Boulevard branding signage.

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$203,463			\$203,463
list all other sources:					
1.					
2.					
3.					
4.					
Totals					\$203,463

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). Approval is anticipated on May 16 th	No
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: http://www.dot.ca.gov).	Yes
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: August 4 th , 2015 (Park Boulevard and Wilkie Way) June 2 nd , 2015 (Bryant Street) November 4 th , 2014 (Maybell Avenue)	Yes
E. 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).	No
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) December 2018	Yes
G. 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: _____)	Yes



MEMORANDUM

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

FROM: Bill Hough, Transportation Planner III

DATE: March 3, 2016

SUBJECT: Call for Projects, Transportation Development Act Article 3
 FY 2016/17 Program

TDA Article 3 Funds Available

This memorandum serves as the General Call-for-Projects for the FY 2016/17 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. Under subsequent revisions to BEP policy in March 2013, only BEP Category 1 projects are eligible for this set-aside. On November 5, 2009, the Board committed \$150,000 of each year's TDA3 BEP set-aside to County Expressway Pedestrian Projects.

The BEP set-aside funds are reserved for BEP Category 1 projects. Last year, VTA received 2 applications for BEP projects requesting the entire amount: Santa Clara County's Montague Expressway Bicycle Detection/Adaptive Signal Timing Project and San Jose's Hedding Street bicycle lane project. Although both projects were "ready to go," county staff indicated that they could defer their project until this year. Accordingly, the VTA Board programmed last year's BEP set-aside funding to San Jose's Hedding Street bicycle lane project and dedicated this year's BEP funding to the Montague Expressway project. Therefore, VTA will not accept applications for BEP set-aside projects this year.

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 \$1,962,399 available for "Guarantee" projects this year. The guarantee share is based on 2015 California Department of Finance (DOF) population figures and funds banked or rescinded from previous years, where applicable.

Please note that an agency's total applications cannot exceed its guarantee share listed in the following table:

Table 1: 2016/17 TDA ARTICLE 3 ESTIMATE FOR SANTA CLARA COUNTY

Agency	Guarantee Amount (Includes banked and rescinded funds from prior years.)
Campbell	\$32,543
Cupertino	\$156,926
Gilroy	\$79,816
Los Altos	\$45,429
Los Altos Hills	\$6,485
Los Gatos	\$79,848
Milpitas	\$108,083
Monte Sereno	\$9,028
Morgan Hill	\$32,482
Mountain View	\$117,137
Palo Alto	\$203,463
San Jose	\$790,288
Santa Clara	\$94,054
Saratoga	\$23,945
Sunnyvale	\$115,088
Santa Clara County	\$67,782
Total	\$1,962,399

Rescind/Reallocation Requests

Agencies may only allocate up to their estimate in any given year. Sponsors may rescind prior year projects, but VTA cannot reallocate them until the next TDA funding cycle. Funds rescinded in 2015 will be added to the sponsor's guarantee in 2016.

It is the project sponsor's responsibility 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. Agencies must inform VTA of intent to rescind/reallocate, and **failure to do so means that the funds revert to the countywide pool in the next cycle.**

Banking 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:

1. Construction and/or engineering of a bicycle or pedestrian capital project
2. Maintenance of a multi-purpose path which is closed to motorized traffic
3. Bicycle safety education program (no more than 5 % of county total).
4. Development of a comprehensive bicycle or pedestrian facilities plans (allocations to a claimant for this purpose may not be made more than once every five years).
5. Restriping Class II bicycle lanes.

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 policies and procedures can be found in the MTC TDA Article 3 Policies and Procedures, which is available on the Metropolitan Transportation Commission website at:

<http://mtc.ca.gov/sites/default/files/RES-4108.pdf>

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 adopted the revised *VTA Bicycle Technical Guidelines* on December 13, 2012. 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 VTA staff.

Application Submittals

MTC's TDA Article 3 Project Application Form and resolution boilerplate is located at: <http://www.mtc.ca.gov/tools-and-resources/digital-library/tda-article-3-bicycle-and-pedestrian-application>

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.

2016/17 TDA Article 3 Detailed New Project Submittal Requirements

Number of Copies	Item
1 per agency	Cover letter: the cover letter must include a statement that the project must be ready to implement within ONE year of the application cycle.
2 per agency	Governing body resolution wording and Council Resolution supporting the project(s) (<i>due on May 27, 2016</i>). The required "model resolution" is on the Metropolitan Transportation Commission website at link above. Do not modify MTC's boilerplate.
2 per project	MTC's TDA Article 3 Application (See Application Form at link above.)
2 per project	A vicinity map showing the project's general location in your jurisdiction
2 per project	A detail map showing the project and phases where applicable
2 per project	Documentation of environmental clearance (<i>for applicable projects</i>). The county clerk must stamp the environmental document.

Completed project applications or notification of intent to bank funds should be submitted to VTA by 4:00 p.m. on **Friday, April 8, 2016**.

Please send applications to:

**Bill Hough, Transportation Planner
Santa Clara Valley Transportation Authority
Programming & Grants
3331 North 1st Street, 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 2016 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 because they contain guidance on invoicing, expiration of funds, and annual audit requirements. All project invoicing goes directly to MTC.**

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. **All TDA 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 Cheryl Chi, at 510-817-5939 or cchi@mtc.ca.gov, for additional information on audit requirements.