

# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Albert Balagso

**SUBJECT:** SEE BELOW

**DATE:** 12-01-09

Approved

Date

12-2-09

**COUNCIL DISTRICT:** 4

**SUBJECT: GRANT APPLICATION FOR THE COYOTE CREEK REACH 3 (HWY 237 BIKEWAY TO TASMAN DRIVE) TRAIL PROJECT**

## RECOMMENDATION

Adopt a resolution authorizing the City Manager, or designee, to do each of the following:

1. Submit a grant application in the amount not to exceed \$724,500 to Caltrans under the Bicycle Transportation Account (BTA) program for the Coyote Creek Reach 3 (Hwy 237 Bikeway to Tasman Drive) Trail project ("Project"); and
2. Accept any grant funds awarded to the City and negotiate and execute all necessary documents related to any grant funding from Caltrans to the City for the Project.

## OUTCOME

City Council approval of the recommended actions will authorize the City Manager, or designee, to apply for BTA grant funding, accept any grant funding, negotiate and execute a grant agreement (or other necessary documents) with Caltrans for the Project. Additionally, the grant guidelines require the City provide a local match of ten percent (10%) of the total Project cost. If the City is awarded grant funds in the full amount requested and upon appropriation of funds to advance and match the grant funds during mid-year or the regular budget process, the City would have sufficient funds to construct 1.08 mile of paved trail along Coyote Creek from Highway 237 Bikeway to Tasman Drive. Staff would proceed with preparation of design and construction documents and seek City Council authorization for the award of a construction contract for the Project at a later date.

## **BACKGROUND**

A number of past and very recent actions by the City and by the Metropolitan Transportation Commission (MTC) make the Coyote Creek Reach 3 Trail Project eligible and highly rated for the BTA funding criteria.

- In April 2000, City Council approved the City's Greenprint. The Greenprint is a 20-year strategic plan for development of parks, community facilities, and programs. The Greenprint generally defines a 100-mile network as a primary Trail Program goal for the City. It identifies the Coyote Creek Trail as one of the systems that comprises the network.
- On August 24, 2004 (Item No. 5.2), the City Council accepted a report on bids for construction of improvements between Highway 237 Bikeway and Montague Expressway. The project included a short paved transition to the Highway 237 Bikeway, a paved undercrossing beneath Tasman Drive, and ramps leading to Tasman Drive and the nearby Light Rail station. The project did not include a paved trail due to limited funding.
- In February 2006, the City Manager executed a Joint Trail Agreement with the Santa Clara Valley Water District to operate and maintain a recreational trail along the existing gravel levee road which was now accessible due to the built improvements.
- In November 2008, the City Council approved the Green Vision which guides completion of the 100-mile Trail Network by 2022. The Coyote Creek Trail system is a core trail system within the City's Trail Network. When fully built out, the trail will link the San Francisco Bay to the south county community of Morgan Hill. A map of Coyote Creek Trail is attached to this memorandum as an Attachment.
- On November 17, 2009, the City Council adopted a Bicycle Transportation Plan (BTP) that complies with the BTA guidelines. BTA provides State funds for city and county projects that improve safety and convenience for bicycle commuters. The program is administered by the local offices of Caltrans. San Jose is eligible for BTA funds because the City Council adopted the BTP.
- On November 24, 2009 the MTC (Regional Transportation Authority) reviewed and confirmed that the BTP is in compliance with Section 891.2 of the California Streets and Highways Code (California Bicycle Transportation Act). These actions permit San Jose to be eligible for BTA program's reimbursable grant funds.

## **ANALYSIS**

The City Council makes recommendations on trails to be developed based on a prioritization process approved by Council on August 23, 2003. On an annual basis, the process analyzes all potential projects against seven measures to determine which projects are best suited to complete

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gaps, expand existing systems, and to advance strategic objectives. A companion grant seeking process aligns high priority projects with grant funding sources.

The BTA seeks to establish a bicycle transportation system which is designed to meet the commuting needs of the bicyclist while providing safety and the capacity to accommodate bicyclists of all ages and skills. Projects will be funded where right of way is free and clear of obstructions, encumbrances, disputes, and environmental hazards, and where cooperative agreements with organizations such as railroads, utility districts, flood control districts, or coastal commissions have been executed.

The BTA requires a ten percent (10%) match from a local funding source. In the event the City is awarded the requested grant, Staff will return to Council and recommend the use of Park Trust Funds (PTF) to meet the local grant match requirement. The Project is located within an area that could benefit residents who paid parkland fees. Since grant funds will be provided on a reimbursement basis, the City will need to advance funds for the project. Staff would recommend the use of PTF and Council District 4 Construction and Conveyance Funds to advance funds for the Project. Reimbursements from the State will be deposited back into the respective funds that provided the advance.

The Coyote Creek Reach 3 (Hwy 237 Bikeway to Tasman Drive) Trail Project was identified as a high priority project through the trail prioritization process. The Project which will construct 1.08 miles of paved trail along Coyote Creek from Highway 237 Bikeway to Tasman Drive aligns very well with the BTA goals.

The Project is the most suitable trail project for the BTA program based on the following:

- California Environmental Quality Act (CEQA) documentation has already been secured.
- All right-of-ways have been secured and the Project is ready for implementation. The City previously constructed costly under-crossings and access ramps at Tasman Drive. The Project improves access to these facilities.
- The existing maintenance road reduces the amount of construction required so that a built project can be delivered at a lower cost than other trail sites.
- The project will link transportation facilities - the Highway 237 Bikeway and the Tasman Drive Light Rail Station.

The Project is directly along the Cisco Campus (San Jose's 2<sup>nd</sup> largest employer; 11,600 employees) and near Cadence Design Systems (San Jose's 15<sup>th</sup> largest employer; 1,560 employees). The trail improvements will lead to existing access ramps at Tasman Drive which provides access to the Light Rail Station and striped bike lanes.

The BTA program requires the City to meet each of the following requirements:

Requirement	Addressed in the following manner:
Compliance with the California Environmental Policy Act (CEQA) and documentation	CEQA secured in July 2003
The City must prepare and adopt a Bicycle Transportation Plan (BTP) that complies with Streets and Highways Code Section 891.2	San Jose Bike Plan 2020 was adopted on November 17, 2009. It complies with Section 891.2 of the Streets and Highways Code.
The City must submit the BTP to the appropriate Metropolitan Planning Organization (MPO) or Regional Transportation Planning Agency (RTPA) for review and approval for compliance with Streets and Highways Code Section 891.2 and the Regional Transportation Plan (RTP).	San Jose Bike Plan 2020 was approved by the Metropolitan Transportation Commission (MTC) on November 24, 2009.
Provide a 10% local fund match	Staff will recommend appropriation of funds from the Park Trust Fund for the required local fund match as part of the 2010-2011 Budget process.
Project's right of way is free and clear of obstructions, encumbrances, disputes, and environmental hazards, and where cooperative agreements with organizations such as railroads, utility districts, flood control districts, or coastal commissions have been executed.	The City secured all necessary rights-of-way as part of early trail development efforts. Agreements are in place with the Santa Clara Valley Transportation Authority (VTA) and State of California for recreational access across their lands.

**EVALUATION AND FOLLOW UP**

If the City is awarded the grant for the Project, staff will seek the required appropriation actions from the City Council as well as the authorization for the award of a construction contract at a later date.

**POLICY ALTERNATIVES**

***Alternative #1: Do Nothing***

**Pros:** Does not require staff time in the preparation of an application package.

**Cons:** Inconsistent with City Council's approach of seeking grant funds to develop projects when feasible.

**Reason for not recommending:** The project is well suited for this funding source and the City would lose an opportunity to seek and receive grant funding that will help build this Project.

### **PUBLIC OUTREACH/INTEREST**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The proposed Council action does not require outreach per the above criteria. However, staff has presented a Conceptual Coyote Creek Trail (Hwy 237 to Story Road) alignment at three community meetings over the past 6 months.

Staff is preparing federal National Environmental Protection Act (NEPA) and related master plan documents for development of the overall Coyote Creek Trail system. An alignment map of the existing interim (gravel) trail is posted on the Trail Program website.

This memorandum and proposed resolution will be posted on the City Council's Agenda website prior to the December 15, 2009 City Council meeting.

### **COORDINATION**

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, the Planning, Building and Code Enforcement Department, and the Public Works Department.

### **FISCAL/POLICY ALIGNMENT**

This Project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy.

The Project is referenced in the Council-adopted Greenprint (2000) and in the Greenprint Update. Delivery of the Project supports Goal 10 of the Green Vision to provide a 100-mile Trail Network by 2022.

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### **COST SUMMARY/IMPLICATIONS**

Based on the most recent cost estimates, a total of \$805,000 is anticipated to be required to complete this project. The BTA Grant application is seeking 90% funding for the Project. The grant program requires a ten percent (10%) local match (\$80,500). Staff is recommending that this match be allocated from the Park Trust Funds in the nexus of the Project. The BTA awards are expected to be announced in June 2010. Upon award of the grant, these funds will be recommended to be appropriated as part of the 2010-2011 Budget process or through a future City Council memorandum.

If the grant is secured, the operating and maintenance impact related to this project is projected to be \$13,000/year for operations and maintenance, and \$2,375 for Trail Patrols. Operating costs will be confirmed and reported upon in a future bid and award memorandum related to a construction contract. Staff anticipates that the trail will be operational in July 2011. Funding for this trail was not included in the 2010-2011 Preliminary General Fund Forecast discussed at the November 5, 2009 City Council Study Session. If awarded, the operating and maintenance costs will be evaluated for inclusion in future Forecasts or the upcoming budget process.

### **BUDGET REFERENCE**

Not Applicable

### **CEQA**

Exempt, File No. PP03-230

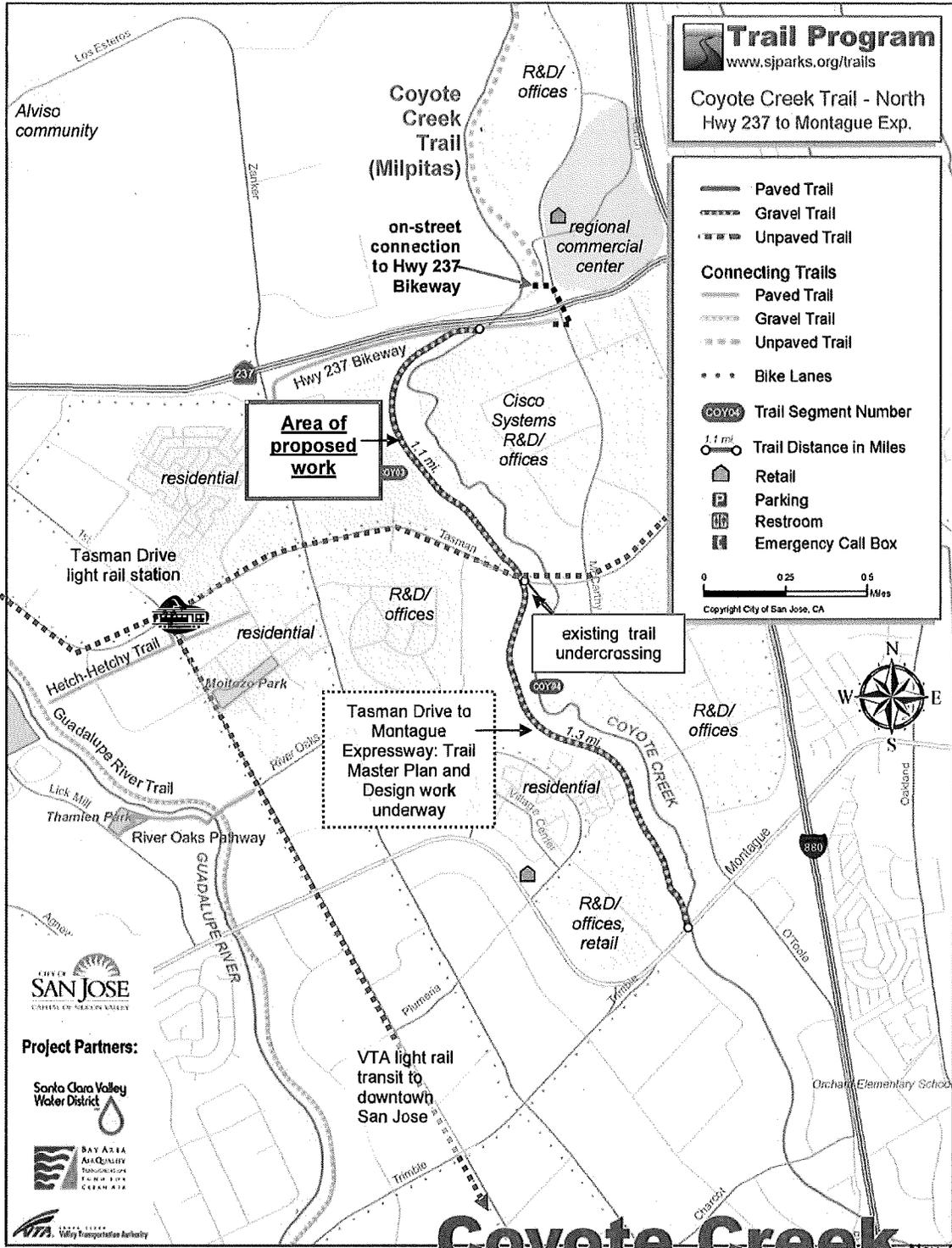


ALBERT BALAGSO  
Director of Parks, Recreation and  
Neighborhood Services

For questions please contact Yves Zsuty, Park (Trail) Manager, at 408-793-5561.

Attachment: Map of Coyote Creek Trail (Hwy 237 Bikeway to Tasman Drive)

Attachment 1



**Project Partners:**



# Coyote Creek

Nov. 2009

PPHS Map 1003.01