



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso

SUBJECT: SEE BELOW

DATE: 02-22-11

Approved

Date

2-24-11

COUNCIL DISTRICT: 2

SNI AREA: Edenvale/Great Oaks

SUBJECT: GRANT APPLICATION FOR EDENVALE TRAIL PROJECT FEASIBILITY STUDY

RECOMMENDATION

Adopt a resolution that:

1. Authorizes the City Manager, or designee, to submit a grant application in an amount not to exceed \$200,000 to the State of California under the Community Based Transportation Planning grant program for the feasibility study of Edenvale Trail ("Project"); and
2. Certifies that the City will have available the required local match of \$75,000 and any additional funds necessary to complete the Project prior to commencement of any work on the Project included in the application; and
3. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines for the Project; and
4. Delegates the authority to the City Manager, or designee, to conduct all negotiations, execute and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the Project; and
5. Authorizes the City Manager, or designee, to resubmit the grant application in subsequent years for the same amount and grant requirements described in this memorandum if the City is unsuccessful with the initial grant application.

OUTCOME

City Council approval of the recommended actions will authorize the City Manager, or designee, to apply for a grant for the Project to the State of California under the Community Based Transportation Planning (CBTP) grant program, accept any grant funding, and negotiate and execute a grant agreement (and other necessary documents) with the State of California for the Project. The City will provide a local match of \$75,000 towards the Project.

EXECUTIVE SUMMARY

City Council action would allow staff to submit a grant application to the State of California for up to \$200,000 for the Edenvale Trail Feasibility project under the CBTP grant program. The Project will result in a Development Plan. The plan would result from conducting community outreach and preparing a conceptual plan and feasibility study to define the Edenvale Trail system.

Grant guidelines require the City to provide a 10% local match. \$75,000 of the total Project cost of \$275,000 is recommended to be the local match. This match will come from Fund 375 (Subdivision Park Trust Fund), Trail: Edenvale Pedestrian Bridge Feasibility Study (Appropriation 7208). Funds in the amount of \$75,000 were already appropriated this year in anticipation of the start of the Project. If the City is awarded grant funds in the full amount requested and upon appropriation of funds to advance grant funds through the annual budget process or through a separate council action, the City would have sufficient funds to proceed with the Project. Design and construction of the Project may occur at some future date after completion of the feasibility study and after sufficient resources are identified and appropriated.

BACKGROUND

On December 4, 2001, the City Council adopted the Edenvale/Great Oaks (Strong Neighborhood Area) Revitalization Plan Update (Item 4.4). The plan discussed the community's desire for a pedestrian bridge to span over Highway 101 and offer access to the Coyote Creek Trail. This Project proposes to study the feasibility of constructing a pedestrian bridge over Highway 101 to access Coyote Creek as outlined in the plan.

A Proposed Edenvale Trail is also listed in the Valley Transportation Authority's (VTA) Bicycle Expenditure Plan (BEP). The BEP is an expenditure plan through the year 2030 supported by four funding sources. After the feasibility study is completed and assuming Council has the desire to move forward with the Edenvale Trail system, the City could seek funding for construction of the Project from the VTA and other competitive grant agencies.

In 2004, the City Council identified the Project (titled Branham Lane – Highway 101 Bike Ped Over-crossing) during the triennial review of the BEP list. The Project was reviewed and approved by the VTA BPAC (Bicycle Pedestrian Advisory Committee) and VTA Board of Directors.

In March 2009, staff submitted a grant application to California Department of Transportation (Caltrans) for the same Project under the BTA program and that application was declined. Staff consulted Caltrans about the merits of the application and will modify the new application to reflect their input.

On November 17, 2009, the City Council adopted the San José Bike Plan 2020. The plan identified a possible future bikeway alignment in the Edenvale Area to span over Highway 101 and link to the Coyote Creek Trail.

The Office of Community Planning at Caltrans works to influence the integration of land use and transportation decisions at the local level through the CBTP grant program. This program is primarily used to seed planning activities that encourage smart growth and livable communities. It helps communities develop concepts or plans that promote efficient land use-transportation infrastructure investments, which address sustainable growth while maintaining community value and integrity.

CBTP is funded via the State Highway Account and generally has a budget of \$3 million each year. The maximum grant award allowable is capped at \$300,000.

ANALYSIS

CBTP Grant Program

The program funds are used to fund coordinated transportation and land-use planning projects that encourage community involvement and partnership. The projects must support livable/sustainable community concepts with a transportation or mobility objective and promote community identity and quality of life. Project proposals should involve conceptual-level plans or study activities that encourage community based stakeholder collaboration and consensus building through active public engagement. Each proposal should display a transportation/land use benefit that will likely induce additional benefits.

An estimated \$6 million will be available for the FY 2010-2011 grant cycle pending approval of the state budget.

Edenvale Trail

The Edenvale Trail is identified in the Greenprint as part of the Citywide Trail Network. However, none of the reaches of this system have yet been developed. The Project site is within land formerly reserved for a highway interchange which is no longer sought by Caltrans. Development of a trail system and pedestrian bridges within the open space area is seen as a means to activate a site and greatly improve pedestrian/bicycle access to the Coyote Creek Trail system. Currently, the nearest crossing point relative to the Project site is the vehicular bridge along Blossom Hill Road/Silicon Valley Boulevard which is located approximately one mile from the neighborhood.

The Edenvale Trail project is a high priority project for grant applications when annually evaluated against the Trail Program Prioritization Process approved by Council on August 23, 2003, and its

existence on the BEP list. On an annual basis, the process analyzes all potential projects against seven measures to determine which projects are best suited to complete gaps, expand existing systems, and to advance strategic objectives. A companion grant seeking process aligns high priority projects with grant funding sources.

Staff reviewed all SNI Areas for projects in need of development studies. The Edenvale Trail has not been previously studied and meets the CBTP grant’s objective for outreach efforts that engage traditionally under-represented communities. The Project also aligns well with the following CBTP grant objectives:

Objective	Project Outcome
Innovative public and stakeholder participation in the planning and decision-making process.	The SNI Program has established a structured community process. Community meetings would build upon this existing work and demonstrate a commitment to delivery of SNI Strategic Plan goals.
Each project should be a smart growth - livable community demonstration approach to collaborative planning.	The Project supports increased travel options within a car-centric area of San José by offering direct pedestrian and bicycle access to the regional Coyote Creek Trail. Linkage to Embedded Way, within the Edenvale Redevelopment Area, would increase access to local jobs and housing options.
Completed CBTP products should contribute to positive local planning practice by influencing and integrating those products into the larger regional or blueprint plan.	The Edenvale Trail project is referenced and defined by the City’s Greenprint and contributes to the Green Vision goal of a 100-mile interconnected trail network.

During the development of the conceptual plan and feasibility study, staff would work with stakeholder agencies like Caltrans to determine the suitability and availability of land for a long-term trail and bridge development. This would increase the City’s competitiveness for grant funds from the BEP and other local, State and Federal sources to construct the Project. The plan could include 1) pedestrian bridge structure over Highway 101, 2) pedestrian bridge over Coyote Creek, and 3) trail and landscape improvements that will link the neighborhood to the Coyote Creek Trail system within lands once reserved for highway interchange.

In the event that Caltrans awards funding for the Project, the City will be required to enter into a written grant agreement that will commit the City to the following:

Requirement	Addressed in the following manner:
If awarded, contract or the Fund Transfer Agreement (FTA) will expire on February 28, 2014, and all final invoices must be submitted to Caltrans by April 28, 2014.	Implementing the project would take approximately nine months. With current workloads, it would be possible to complete this project by the deadline.

Requirement	Addressed in the following manner:
Local match funds cannot be state or federal, or funds that has already been earmarked for other programs or projects.	\$75,000 has been appropriated in Fund 375 (Subdivision Park Trust Fund), Trail: Edenvale Pedestrian Bridge Feasibility Study (Appropriation 7208)
The City's accounting system including those of subcontractor's shall conform to Generally Accepted Accounting Principles (GAAP) that enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices sent to or paid by Caltrans.	The City's financial accounting system conforms to GAAP. It is current practice to require subcontractors and vendors to provide support for reimbursements for all grants. City shall take steps to specify that subcontractors conform to GAAP.
FTA may be terminated by either party for any reason by giving written notice to the other party at least thirty (30) days in advance of the effective date of such termination.	In the event of termination by said notice, funds reimbursed to the City will include all allowable authorized non-cancelable obligations and prior costs incurred.
The State Department of Transportation has the option to void the FTA under the 30 day termination clause or to amend this FTA to reflect any reduction of funds.	In the event of an unscheduled termination, the Caltrans Contract Manager may seek reimbursement for allowable City costs. Staff would work with Caltrans to reimburse allowable costs. Any remaining costs will be borne by the City.

In addition, the grant requires that the City Council approve a grant-specific resolution allowing the submission of an application to the CBTP and if awarded accepting the award and entering into an agreement with Caltrans for the purposes of implementing the Project and specifying local matching funds specific to the Project.

EVALUATION AND FOLLOW-UP

Grant funding is provided on a reimbursement basis. If the City is awarded the grant for the Project, staff will seek the required appropriation actions to front the grant funds. In accordance with standard procedures, should the Project move forward in the future, CEQA analysis and clearance will be required prior to commitment of City funds or resources towards construction of the Project.

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 meet any of the above criteria. However, this memorandum will be posted on the City Council's Agenda website prior to the March 15, 2011 City Council meeting. SNI staff provided an update to the Edenvale/Great Oaks Neighborhood Advisory Committee on March 6, 2010 and informed them about the potential grant seeking effort.

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, the Redevelopment Agency (SNI Staff), 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 Update (December 8, 2009, item 5.2) generally as part of the Trail Network. Delivery of the Project supports Goal 10 of the Council-adopted Green Vision (October 30, 2007, item 9.1) to provide a 100-mile Trail Network by 2022.

COST SUMMARY/IMPLICATIONS

Based on the most recent cost estimates, a total of \$275,000 is anticipated to be required to complete the Project. The Grant application is seeking 73% (\$200,000) funding for the Project. The remaining \$75,000 will be provided as a local match to make the grant application more

competitive. This match will come from Fund 375, Trail: Edenvale Pedestrian Bridge Feasibility Study (Appropriation 7208). The Program awards are expected to be approved by Caltrans in mid to late summer 2011 pending approval of the State budget. Upon award of the grant, the funds to front the grant award would be recommended to be appropriated as part of the annual budget process or through a future City Council memorandum.

The Project results in a feasibility study to determine whether or not a project is possible at this location. If feasible, and developed as envisioned, the Project would include improvements across a 2,200' trail corridor that would include a 300 foot (approximate) free-span bridge over highway 1001 and 500 feet of associated access ramps. Staff anticipates that the future trail project would be operational in July 2016 and would require between \$25,000 and \$50,000 for annual maintenance which would include structural inspections, landscape and facility maintenance.

BUDGET REFERENCE

The following table identifies the existing fund and appropriation recommended as part of this memorandum.

Fund #	Appn #	Appn. Name	Total Appn.	Adopted Budget Page	Last Budget Action (Date, Ord. #)
Existing Funding					
375	7208	TRAIL: Edenvale Pedestrian Bridge Feasibility Study	\$75,000	V-601	06/29/10, Ord. No. 28765
		TOTAL	\$75,000		

CEQA

Statutorily Exempt, CEQA Guidelines Section 15262, Planning and Feasibility Studies; File No. PP10-066 (d)

/s/

ALBERT BALAGSO
Director of Parks, Recreation and
Neighborhood Services

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