



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Hans F. Larsen

**SUBJECT: BICYCLE PROJECT GRANTS -
TDA3**

DATE: April 16, 2012

Approved

Date

4/24/12

RECOMMENDATION

Adopt a resolution supporting the receipt of grant funds for Citywide bicycle projects:

1. Authorizing the City Manager, or designee, to submit a request to the Metropolitan Transportation Commission (MTC) for the allocation of Fiscal Year 2012-2013 Transportation Development Act, Article 3 (TDA3) State grant funding in the amount of \$640,126;
2. Making the required findings by MTC as explained in this memorandum for the acceptance of TDA3 grant funding; and
3. Accept any grant funding from MTC and negotiate and execute any grant documents to effectuate the grant.

OUTCOME

Grant funding for bicycle facilities will provide the community safer and more convenient routes for biking, consistent with San Jose Bike Plan 2020.

BACKGROUND

The state TDA3 grant provides annual funding for the improvement of pedestrian and bicycle transportation infrastructure. Funds are derived from state sales tax and distributed based on population. MTC administers the grants for the nine-county Bay Area and selects projects based on recommendations from member agencies. In Santa Clara County, the Santa Clara Valley Transportation Authority (VTA) coordinates the local project selection process. For FY 2012-2013, the City expects to receive \$640,126 in TDA3 funds. No local matching funds are required.

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ANALYSIS

The TDA3 grant program generally funds minor (low cost) pedestrian and bicycle projects. Funding for major projects is generally sought through the City's capital programs or the VTA's Valley Transportation Plan. The City has historically used TDA3 funds for low cost sidewalk gap closure projects and for citywide programs related to curb ramps, bikeway signage and striping, and safety education. Over the past 12 years, more than 50% of TDA3 funding in San José has been applied to installing sidewalks to close gaps in the pedestrian network. During that period, 32 sidewalk projects have been built. Most identified sidewalk gaps that are small enough to be funded by TDA3 have now been constructed and the funding is being focused on bicycle facilities.

TDA3 funding comes from a portion of state sales tax. FY2012-2013 TDA3 funding for the City of San José is estimated to be \$640,126. The funding is proposed to be used for implementation of San Jose's *Bike Plan 2020* and the three year priority plan presented to the Transportation and Environment Committee on April 2, 2012. These projects will allow the City to continue the City's Bike Plan 2020 and Envision 2040 goals to increase mode shift.

As part of the grant process, MTC requires the City Council to adopt a resolution making certain findings as follows: (i) the City is eligible to request grant funding under State law, (ii) there is no pending or threatened litigation that adversely affects the projects in Attachment A, (iii) the grant applications are accurate, (iv) City has committed adequate staffing resources to complete the projects, (v) City will comply with CEQA, (vi) the completed projects will be maintained by the City for the benefit of the public, and (vii) the adopted resolution will be sent to VTA and MTC. The required findings are attached to this memorandum. Staff is unaware of any issues that would prevent the City Council from adopting a resolution with these findings.

EVALUATION AND FOLLOW UP

During FY 2012-2013, staff will identify and design specific projects for implementing new bike lanes using TDA3 grant funds. Staff will then advance these projects for Council approval prior to implementation.

PUBLIC OUTREACH/INTEREST

- Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criteria 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)**

- Criteria 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)**

This report will be posted on the City's website as part of the Council Agenda public outreach process. In addition, the recommendations described in this report were coordinated with City's Bicycle and Pedestrian Advisory Committee at its publicly noticed March 12, 2012 meeting.

COORDINATION

Preparation of this report was coordinated with the City Attorney's Office.

FISCAL/POLICY ALIGNMENT

The recommended action aligns with the Transportation and Aviation Services CSA Outcome related to providing viable transportation choices.

COST SUMMARY/IMPLICATIONS

The recommendations in this report would initiate grant funding requests in the amount of \$640,126. The anticipation of grant funding from the TDA3 program is included in the "Bicycle and Pedestrian Facilities" line item in the Traffic Capital Improvement Program.

CEQA

Exempt, File No. PP10-078.

/s/
HANS F. LARSEN
Director of Transportation

For questions please contact John Brazil, DOT Manager for Bicycle and Pedestrian Program, at 975-3206.

Attachment

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2012-2013 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

1. That the City of San José 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 San José legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the City of San José 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 San José within the prior five fiscal years.
8. That the project(s) described in Attachment B which are bicycle projects have 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(s) described in Attachment B are ready to commence implementation during the fiscal year of the requested allocation.
11. That the City of San José 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.