



Sunnyvale

# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 25-0267, Version: 1

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### REPORT TO COUNCIL

#### **SUBJECT**

Adopt a Resolution to Authorize the Filing of an Application to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$811,845 to Supplement the Construction Phase of the Evelyn Avenue Multi-Use Path

#### **SUMMARY OF COMMISSION ACTION**

The Transportation Development Act (TDA) Article 3 funds is a source of funding created by State legislation and processed through the Santa Clara Valley Transportation Authority and Metropolitan Transportation Commission (MTC) that annually returns sales tax revenues designated for bicycle and pedestrian projects to local agencies. For fiscal year 2025/26, the City anticipates receiving \$811,845 in TDA funding for reimbursement of eligible projects.

The Bicycle and Pedestrian Advisory Commission (BPAC) considered this item at their February 20, March 20, and May 15, 2025 meetings.

During the February 20 and March 20 BPAC meetings, the BPAC considered multiple projects for use of the TDA Article 3 funds ("Candidate Project"):

1. Install Sidewalk on Poplar Avenue - Approximate cost: \$895,000 (Construction) (Attachment 3)

City Council has previously provided guidance to bank available TDA Article 3 Funds for the construction phase for Project No. 1, Poplar Avenue Sidewalk (RTC No. 23-0241). However, in April 2025, the MTC awarded Housing Incentive Pool funding in the amount of \$1,836,000 to City of Sunnyvale to implement transportation projects, of which \$1,000,000 was awarded for the Poplar Avenue Sidewalk Construction Project. Since staff was able to find an alternative funding source to fully fund the construction phase of the project, the Poplar Avenue Sidewalk project will no longer need funding from TDA Article 3.

2. Rectangular Rapid Flashing Beacons (RRFB) and Curb Extensions - Approximate cost: \$700,000 (Design & Construction) (Attachment 4)

If Council decides not to use the TDA Article funds for this project, staff will explore grant funding opportunities to implement the improvements.

3. Evelyn Avenue Multi-Use Path - Approximate cost: \$600,000 (Construction) (Attachment 5)

If Council decides not to use TDA Article funds for this project, staff will request Council to allocate funding from other City funding sources to supplement this improvement.

4. Implement Crossing Improvements at the Intersection of Gail Avenue & Iris Avenue -  
Approximate cost: \$675,000 (Design & Construction) (Attachment 6)

If Council decides not to use the TDA Article funds for this project, staff will explore grant funding opportunities to implement the improvement.

5. Convert the remaining part-time bike lanes on Homestead Road into full-time bike lanes -  
Approximate cost: \$60,000 (Construction) (Attachment 7)

The City has a Slurry Seal project planned for 2026 that will resurface Homestead Road and can add striping to convert the existing part-time bike lanes to full-time bike lanes. However, this project will not include the installation of poles and signs need to enforce the full-time bike lanes. Instead of using TDA Article 3 funds, staff recommends using funds from CIP 834370 - Traffic Signal Installation and Maintenance, to install the necessary new poles and signs. These improvements can be completed through a Work Order, installed by City staff, and coordinated with the 2026 Slurry Seal project.

At the May 15 BPAC meeting, the BPAC voted to approve staff's recommendation, Alternative 1: Recommend to City Council to use \$600,000 of Transportation Development Act Article 3 Funding for Fiscal Year 2025/26 to supplement the construction phase of Project No. 3, Evelyn Avenue Multi-Use Path, and bank the remainder of the funding (\$211,845) for future use. The vote was 6-0, with Commissioner Davé abstained.

## **ENVIRONMENTAL REVIEW**

As discussed in more detail in the report to BPAC, the projects proposed to be funded by this action will be exempt from review under the California Environmental Quality Act (CEQA) under the Class 1 CEQA exemption for minor alteration of existing streets, sidewalks, and similar facilities involving negligible expansion of existing use (CEQA Guidelines 15301). Project (5) (Homestead Road bike lanes) will also qualify for a Class 4 exemption for creation of bike lanes in existing right-of-way (CEQA Guidelines 15304(h)).

## **PUBLIC CONTACT**

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the City Hall reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

## **ALTERNATIVES**

1. Adopt a Resolution to Authorize the Filing of an Application to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$600,000 to supplement the construction phase of Project No. 3, Evelyn Avenue Multi-Use Path, and bank the remainder of the funding (\$211,845) for future use.
2. Adopt a Resolution to Authorize the Filing of an Application to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$811,845 for a Candidate Project or for a combination of Candidate Projects.

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File #: 25-0267, Version: 1

3. Adopt a Resolution to Authorize the Filing of an Application to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$811,845 for a project that is not a Candidate Project.
4. Direct staff to bank the entire Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$811,845 for future use.
5. Adopt a Resolution to Authorize the Filing of an Application to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$811,845 to supplement the construction phase of Project No. 3, Evelyn Avenue Multi-Use Path.

### **STAFF RECOMMENDATION**

Alternative 5: Adopt a Resolution to Authorize the Filing of an Application to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2025/26 Transportation Development Act Article 3 Funding of \$811,845 to supplement the construction phase of Project No. 3, Evelyn Avenue Multi-Use Path.

Since the May 15 BPAC meeting, the design consultant for the Evelyn Avenue Multi-Use Path project has completed the 100% design plans and provided staff with updated cost estimates for construction of the project, including the additional safety and crossing improvements presented to BPAC. However, the revised estimates show that the additional funding needed is approximately \$811,000, rather than the \$600,000 previously presented to BPAC.

While the current staff recommendation differs from BPAC's, both staff and BPAC share the ultimate goal: completing the Evelyn Avenue Multi-Use Path project. The entire allocation of TDA Article 3 funding is essential to closing the budget gap. The additional safety enhancements would significantly improve access to the path by making it safer for the users to cross Evelyn Avenue. Without the additional funding, these enhancements would likely need to be removed from the project.

### **LEVINE ACT**

The Levine Act (Gov. Code Section 84308) prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$500 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: [www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html](http://www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html)

An "X" in the checklist below indicates that the action being considered falls under a Levine Act category or exemption:

### **SUBJECT TO THE LEVINE ACT**

- Land development entitlements
- Other permit, license, or entitlement for use
- Contract or franchise

### **EXEMPT FROM THE LEVINE ACT**

- Competitively bid contract\*
- Labor or personal employment contract

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Contract under \$50,000 or non-fiscal  
 Contract between public agencies  
 General policy and legislative actions

\* "Competitively bid" means a contract that must be awarded to the lowest responsive and responsible bidder.

Prepared by: Lillian Tsang, Principal Transportation Engineer

Reviewed by: Chip Taylor, Director of Public Works

Reviewed by: Sarah Johnson-Rios, Assistant City Manager

Approved by: Tim Kirby, City Manager

## ATTACHMENTS

1. Report to Bicycle and Pedestrian Advisory Commission 25-0223, May 15, 2025 (without attachments)
2. MTC Resolution No. 4108
3. Poplar Avenue Sidewalk Project Location
4. Rectangular Rapid Flashing Beacons (RRFB) & Curb Extensions Project Location
5. Evelyn Avenue Multi-Use Path Project Limits
6. Crossing Improvements at Gail Avenue and Iris Avenue Project Location
7. Homestead Road Full Time Bike Lane Project Limits

## Additional Attachments for Report to Council

8. Excerpt of Bicycle and Pedestrian Advisory Commission Meeting of February 20, 2025
9. Excerpt of Bicycle and Pedestrian Advisory Commission Meeting of March 20, 2025
10. Excerpt of Bicycle and Pedestrian Advisory Commission Meeting of May 15, 2025
11. Resolution to Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 25/26 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding