

### REPORT TO COUNCIL

#### **SUBJECT**

Adopt a Resolution to Authorize the Filing of Fiscal Year 2017/18 Transportation Development Act (TDA) Article 3 Application for the Mary Avenue Bicycle Lanes Project Phase 2

#### **BACKGROUND**

TDA Article 3 is a source of funds created by State legislation and processed through the Santa Clara Valley Transportation Authority (VTA) and Metropolitan Transportation Commission (MTC) that annually returns to local agencies sales tax revenues earmarked for bicycle and pedestrian projects. The eligibility requirements to receive funds in Fiscal Year (FY) 2017/18 funding cycle from VTA and MTC are: 1) the City must submit potential projects that have been reviewed by the City's Bicycle and Pedestrian Advisory Commission (BPAC); 2) be in an approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan; 3) have environmental clearance prior to expenditure (for construction projects only); 4) have an authorizing resolution (Attachment 1); and, 5) able to begin construction within one year. In FY 2017/18, \$131,140 is guaranteed to the City for eligible projects.

The BPAC considered FY 2017/18 TDA candidate projects at its March 16, 2017 meeting (Attachment 2 - Excerpt of March 16, 2017 meeting minutes) and April 20, 2017 meeting. At the April 20, 2017 meeting, BPAC voted 4-0 against staff's recommendation with Commissioners Welch and Okuzumi absent (Attachment 3 - Excerpt from April 20, 2017 draft meeting minutes).

#### **EXISTING POLICY**

**General Plan, Chapter 3, *Land Use and Transportation Element*:**

- **Policy LT 5.5** - Support a variety of transportation modes.
- **Policy LT 5.7** - Pursue local, state, and federal transportation funding sources to finance City transportation capital improvement projects consistent with City priorities.
- **Policy LT 5.8** - Provide a safe and comfortable system of pedestrian and bicycle pathways.

#### **ENVIRONMENTAL REVIEW**

The Council adopted a Mitigated Negated Declaration for the Mary Avenue Bike Lanes on October 12, 2013.

#### **DISCUSSION**

The determination of candidate TDA Article 3 projects for FY 2017/18 was based on review of budgeted and unbudgeted projects in the adopted Resource Allocation Plan, TDA eligibility requirements, consideration of the Pedestrian Safety and Opportunities Study, Bicycle Capital Improvement Program and Bicycle Plan, School Traffic Study, citizen requests, as well as, Commission members' and staff's knowledge of bicycle and pedestrian facility safety priority needs in

the City.

Staff identified and prioritized three candidate projects for BPAC's consideration listed below in order of priority:

1. Mary Avenue Bicycle Lanes Project Phase 2  
Description: Installation of bike lanes from Evelyn Avenue to Maude Avenue.  
Approximate Cost: \$885,500
2. Sunnyvale Bicycle Master Plan Update  
Description: Update the existing 2006 Sunnyvale Bicycle Master Plan.  
Approximate Cost: \$350,000
3. One Bay Area Grant (OBAG) Cycle 2- Matching Grant Funds  
Description: Local matching grant funds for six approved OBAG Cycle 2 projects.  
Approximate Cost: \$2.13 Million

Staff's top priority and preference for use of the TDA grant funds is to complete the Mary Avenue Bicycle Lanes Project Phase 2 from Evelyn Avenue to Maude Avenue. On October 8, 2013, City Council approved the Mary Avenue Bicycle Lanes Project and selected a design concept to construct bike lanes from Fremont Avenue to Maude Avenue. The project includes removal of the existing striping, pavement repairs, slurry seal, new striping, new bike lanes, green bike lanes at the conflict points with dedicated right-turn pockets (at the intersections with California, Central, and Corte Madera), and signal modifications.

Based on the estimate and available funding, the project had to be implemented in two phases. The first phase of the project from Fremont Avenue to Evelyn Avenue was completed in Spring 2017. The second phase of the project from Evelyn Avenue to Maude Avenue went out to bid for construction in March 2017. The lowest responsive and responsible bid will require an additional \$283,500 over the \$602,000 available budget to complete the construction of Phase 2 of the project. The guaranteed TDA FY 2017/18 funds would be used to supplement the construction cost of the project.

However, BPAC voted against staff's recommendation. BPAC's recommendation was to use the TDA funding for improvements at selected off-street paths which included removal of barriers such as bollards and chicanes, installing curb ramps, and painting no parking zones (red curbs) 10 feet on each side of the entrance to the off-street paths. In addition, BPAC provided the locations where these off-street path improvements should be considered (Attachment 2 - Excerpt from BPAC March 16, 2017 meeting minutes). BPAC also stated that if the City could not fund the shortfall of the Mary Avenue Bicycle Lanes Project Phase 2 from TIF funds, then this TDA grant fund may be used for bridging the gap for the Mary Avenue fund shortfall. BPAC voted in favor of their recommendation for use of TDA funds 4-0 (two Commissioners were absent).

### **FISCAL IMPACT**

No fiscal impact to submit an application for TDA grant funding. TDA Article 3 is a program that reimburses cities for the incurred costs of selected projects. No local matching funds are required for Guarantee Fund projects. The VTA estimates the City will receive funds in the amount of \$131,140 from the City Guarantee Fund apportionment. New revenue constitutes a positive fiscal impact.

## **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

The BPAC also held a public hearing on this item at its March 16, 2017 and April 20, 2017 meetings (Attachment 2 and 3 respectively).

## **BOARD/COMMISSION AND STAFF RECOMMENDATION**

Adopt a resolution authorizing the filing of Fiscal Year 2017/18 Transportation Development Act Article 3 application requesting MTC for an allocation of \$131,140 for FY 2017/18 to be used for the construction of the Mary Avenue Bicycle Lanes Project Phase 2 from Evelyn Avenue to Maude Avenue.

While BPAC voted against staff's recommendation, staff is requesting the TDA funds be used to complete the construction of the Mary Avenue Bicycle Lanes Project Phase 2. The project would complete a much-needed Citywide north-south bicycle corridor. In addition, staff is currently preparing an Americans with Disabilities Act (ADA) Self Evaluation and Transition Plan Update, which entails surveying all the off-street paths for ADA compliance. Once completed, the Plan will prioritize and list recommendations to mitigate these off-street paths' barriers should they not be in compliance. Staff at that time will seek grant funding to improve the off-street paths not in compliance. Furthermore, for a project to use TDA grant funds it must be included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan. The off-street paths improvements proposed by the BPAC are not included in any of these plans as of yet, and therefore will not qualify for use of TDA grant funds.

Prepared by: Carol Shariat, Principal Transportation Engineer  
Reviewed by: Shahid Abbas, Transportation and Traffic Manager  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed by: Kent Steffens, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

## **ATTACHMENTS**

1. Resolution Approving FY 2017/18 TDA Article 3 Application
2. Excerpt from the BPAC meeting minutes of March 16, 2017
3. Excerpt from the BPAC Draft meeting minutes of April 20, 2017