

STAFF REPORT FOR CALENDAR ITEM NO.: 13
FOR THE MEETING OF: July 10, 2014

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Approve the Resolution of Local Support for TJPA's application to MTC for \$2,922,325 from the Active Transportation Program to provide \$2,922,325 for the Transbay Transit Center Pedestrian and Bicycle Safety and Accessibility Improvements Project.

EXPLANATION:

TJPA has applied to the State of California for funds from the Active Transportation Program (ATP) to fund pedestrian and bicycle safety and accessibility components of the Transbay Transit Center. A portion of ATP funds is also being allocated by MTC and TJPA is submitting a request with similar scope to compete for those funds as well.

The purposes of the proposed ATP Project are to (1) increase the safety of students, residents, commuters, and tourists walking and bicycling to and from the Transbay Transit Center and using public transportation throughout the Bay Area and eventually the State of California; and (2) create an environment that supports the high number of pedestrians and bicyclists in the San Francisco Bay Area, encouraging active lifestyles and physical activity.

The proposed application consists of (1) construction of a bicycle ramp and related bike amenities, and (2) introduction of a new pedestrian mall. The bicycle ramp will provide safe and convenient bicycle access from street level to the Lower Concourse level within the Transit Center. The ramp entry is from Howard Street between First and Second Streets where there is a dedicated bicycle lane as part of the citywide bicycle route network. The ramp leads to secured bicycle parking on the Lower Concourse and provides access for passengers with bicycles to connect to 11 transit systems including Caltrain, AC Transit, Muni and High Speed Rail. At completion of the new Transit Center and as a result of the proposed ATP Project, a bicyclist from northern Alameda County can travel to Los Angeles without ever getting inside a car. In addition, bicycle racks and storage facilities that are part of the ATP Project are expected to encourage bicycling by providing opportunities to safely and securely store bicycles. The Phase 1 Transit Center is planning to provide parking for 100 bicycles at Ground Level, with an additional 500 spaces provided in the Lower Concourse as part of Phase 2. Bicycle racks (over 50) will also be provided around the Transit Center for short-term parking. The pedestrian improvements will take a portion of Natoma Street, a former vehicular roadway, and dedicate it to pedestrian use only. In cooperation with the City, this pedestrian mall will be extended an additional 60 feet to connect with sidewalks on Second Street. Independently, the City plans to create a signalized intersection at Natoma and Second Streets to reinforce a strong pedestrian connection with the Museum of Modern Art, which is the terminus of Natoma Street two blocks further west. Additionally, the south edge of the Natoma pedestrian mall will be adjacent to a future Howard Square Park and the heavily trafficked Howard/Second Street intersection, further

extending safe pedestrian passage from the Transit Center. The Transit Center's pedestrian mall on Natoma will feature way finding signage for safe, efficient movement of pedestrians.

Safe, secure and accessible pedestrian and bike improvements are desperately needed. The City and County of San Francisco has experienced an alarmingly high rate of fatal accidents. In 2011, 17 pedestrians and 3 bicyclists were killed. The 2011 pedestrian non-fatal injury collision total was 844, an increase from 2009 and 2010 totals. The 2011 bicycle injury collision total of 630 was the highest in the past ten years. The proposed ATP Project aims to address these concerns by improving pedestrian and bicycle safety, and encouraging alternative mobility.

As part of the application for regional discretionary funding, MTC requires a resolution adopted by the responsible implementing agency. The resolution indicates TJPA's agreement to comply with required policies and provides various additional certifications and assurances.

RECOMMENDATION:

Approve the Resolution of Local Support for TJPA's application to MTC for \$2,922,325 from the Active Transportation Program to provide \$2,922,325 for the Transbay Transit Center Pedestrian and Bicycle Safety and Accessibility Improvements Project.

ENCLOSURE:

1. Resolution of Local Support for TJPA's Active Transportation Program application.

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

**Authorizing the filing of an application for funding assigned to MTC and
committing any necessary matching funds and stating the assurance to complete the
project**

WHEREAS, The Transbay Joint Powers Authority (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$2,922,325 in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding, Transportation Alternatives (TA)/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Transbay Transit Center Pedestrian and Bicycle Safety and Accessibility Improvements Project (herein referred to as PROJECT) for the Transbay Transit Center Program (herein referred to as PROGRAM); and

WHEREAS, The Moving Ahead for Progress in the 21st Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

WHEREAS, State statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, Pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, As part of the application for REGIONAL DISCRETIONARY FUNDING, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the REGIONAL DISCRETIONARY FUNDING is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional REGIONAL DISCRETIONARY FUNDING; and
- that the PROJECT will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the PROJECT as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and

WHEREAS, That APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, There is no legal impediment to APPLICANT making applications for the funds; and

WHEREAS, There is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application.

NOW, THEREFORE, BE IT RESOLVED, That the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 or continued funding; and be it further

RESOLVED, That APPLICANT will provide any required matching funds; and be it further

RESOLVED, That APPLICANT understands that the REGIONAL DISCRETIONARY FUNDING for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and be it further

RESOLVED, That APPLICANT understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and APPLICANT has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it further

RESOLVED, That PROJECT will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it further

RESOLVED, That APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and be it further

RESOLVED, That PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM; and be it further

RESOLVED, That, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and be it further

RESOLVED, That, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and be it further

RESOLVED, That, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation agency; and be it further

RESOLVED, That APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and be it further

RESOLVED, That APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and be it further

RESOLVED, That there is no legal impediment to APPLICANT making applications for the funds; and be it further

RESOLVED, That there is no pending or threatened litigation that might in any way adversely affect the proposed PROJECT, or the ability of APPLICANT to deliver such PROJECT; and be it further

RESOLVED, That APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; and be it further

RESOLVED, That a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it further

RESOLVED, That the MTC is requested to support the application for the PROJECT described in the resolution, and if approved, to include the PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of July 10, 2014.

Secretary, Transbay Joint Powers Authority