



Office of the City Manager

CONSENT CALENDAR
June 25, 2013

To: Honorable Mayor and Members of the City Council
From:  Christine Daniel, City Manager
Submitted by: Andrew Clough, Director, Public Works
Subject: Grant Funding Agreement for MTC One Bay Area Grant Program

RECOMMENDATION

Adopt a Resolution:

1. Authorizing the City to execute and file a funding application to the Metropolitan Transportation Commission (MTC) for \$4,932,702 in Federal funds for the Shattuck Reconfiguration and Pedestrian Safety Improvements and the Hearst Avenue Complete Street Project (Projects), as recommended by the Alameda County Transportation Commission through the FY 2012/13 Coordinated Funding Program;
2. Committing any necessary matching funds; and
3. Stating the City's assurance as to its ability and intent to complete the project.

FISCAL IMPACTS OF RECOMMENDATION

The City will receive grant revenue of \$4,932,702. These Federal funds require a minimum local match of 11.47% of the total project cost, or \$639,100 and local matching funds are available from several sources for the 2 capital improvement projects. The Bay Area Rapid Transit District (BART) will receive \$7,784,000 in grant funds to implement the Berkeley BART Plaza and Transit Area Improvements Project as a joint effort between the City and BART.

Shattuck Reconfiguration and Pedestrian Safety Improvements Project: The City will receive a \$2,777,000 grant and provide a minimum local match of \$359,800 to provide a total construction cost estimate of \$3,136,800. The local matching funds of \$359,800 are available from the \$320,000 included in Fund 489, the UC Long Range Development Plan Settlement Agreement (LRDP); and \$39,800 from Fund 397, the City's share of Vehicle Registration Fund (VRF).

Hearst Avenue Complete Street Project: The Project received 2 grants adding to \$2,155,702. The 11.47% local match is \$279,300, making a total project cost of \$2,435,002 for construction. The \$279,300 in local matching funds are available from Fund 489 (LRDP) (\$710,000 available for project design, environmental, and construction phases); and \$130,350 from Fund 397 (VRF).

BART Plaza & Transit Area Improvement Project: As the implementing agency of the Berkeley BART Plaza and Transit Area Improvements Project, which is a joint effort between BART and the City of Berkeley, BART will receive \$4,066,000 in Federal funds from MTC's One Bay Area Grant and \$3,718,000 of Vehicle Registration Funds. BART will provide the \$1,008,500 required minimum local match, including \$721,360 from a Proposition 1B Lifeline grant, and the City will provide \$157,000 from Fund 397 (VRF). BART is also the implementing agency for the \$1,805,000 MTC Transportation for Livable Communities grant, for which the City provide \$400,000 in matching funds from Fund 489 (LRDP).

Matching funds are included in the 5-year fund projections, and the funds will be appropriated as part of the first amendment to the FY 2014 Annual Appropriations Ordinance, and the first amendment to the FY 2015 Annual Appropriations Ordinance.

CURRENT SITUATION AND ITS EFFECTS

A Call for Projects for the FY 2012/13 Alameda County Coordinated Funding Program was released by the Alameda County Transportation Commission (Alameda CTC) on February 4, 2013. Council approved Resolution No. 66,018-N.S. on March 5, 2013 authorizing the City Manager to submit grant proposals to the Alameda County Transportation Commission for three projects: BART Plaza & Transit Area Improvement Project; Downtown Shattuck Reconfiguration & Pedestrian Safety Improvements Project; and Hearst Avenue Complete Streets Project. Public Works Transportation staff submitted grant applications for these projects on March 15, 2013. A Review Panel, along with the Alameda County Bicycle and Pedestrian Advisory Committee, carefully reviewed, evaluated and scored the 69 applications received.

On May 7, 2013 the Alameda CTC released its Draft Grant Recommendations, which includes \$12,717,000 to fully fund all 3 projects in Berkeley. The Shattuck Reconfiguration and Pedestrian Safety Project received the highest project score in the County; the Downtown Berkeley BART Plaza & Transit Area Improvements received the 3rd highest score, and the Hearst Avenue Complete Streets Project received the 7th highest score in the County.

In order to be awarded the funds, the City is required to adopt Resolutions of Local Support by June 30, 2013. A City Council Resolution of Local Support is not needed for the Berkeley BART Plaza and Transit Area Improvements Project because the grant funds will be received by BART as the lead implementing agency. The March 5, 2013 City Council Report (Resolution No. 66,018-N.S) which authorized the grant application stated that Alameda CTC would allocate the grant funds directly to BART, which will be responsible for project delivery. On June 13, 2013, the Bay Area Rapid Transit (BART) Board of Directors adopted Resolutions of Local Support to accept \$7.8 million for the Berkeley BART Plaza and Transit Area Improvements Project, which is a joint effort between BART and the City of Berkeley.

The Alameda CTC Board will consider approval of the Draft Grant Recommendations on May 23 and the Final Grant Awards on June 27, 2013. The Alameda CTC will forward its

funding recommendations to MTC, and projects will be entered into MTC's Transportation Improvement Program in fall 2013, making funds available to project sponsors in FY 2014. Projects must be started within a year of the Agreement "Grant Initiation Date" and must be completed within 3 years of this date, unless a longer period is approved in advance by Alameda CTC. All OBAG federal funds must be obligated by March 31, 2016.

BACKGROUND

The Alameda CTC is managing the funding allocations for the FY 2013 – FY 2016 federal funds from the MTC One Bay Area Grant (OBAG) program for eligible Supportive Transportation Investment Projects in Priority Development Areas and OBAG Federal Local Streets and Roads. The OBAG program supports California's climate law, SB 375, which requires a Sustainable Communities Strategy to integrate land use and transportation to reduce greenhouse gas emissions. The purpose of PDA Supportive Transportation Investments is to support community based transportation projects that promote new vibrancy to downtown areas, commercial cores, high density neighborhoods, and transit corridors, enhancing their amenities and ambiance and making them places where people want to live, work and visit.

RATIONALE FOR RECOMMENDATION

Accepting federal grant funds will enable the City to carry out these capital projects. The projects were identified as high priority projects in the Downtown Area Plan, Pedestrian Plan, Bicycle Plan, and Climate Action Plan, and have well developed scopes and budgets, and community support.

ALTERNATIVE ACTIONS CONSIDERED

There are no reasonable and fiscally responsible alternatives.

CONTACT PERSON

Farid Javandel, Public Works Transportation Division Manager, 981-7061
Matt Nichols, Principal Planner, Public Works Transportation Division, 981-7068

Attachments:

- 1: Resolution
- 2: Alameda CTC Draft Grant Recommendations

RESOLUTION NO. ##,###-N.S.

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 City of Berkeley (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$4,932,702 in funding assigned to MTC for programming discretion, including but not limited to federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Downtown Shattuck Reconfiguration & Pedestrian Safety Improvements and the Hearst Avenue Complete Streets Project (herein referred to as PROJECTS) for the One Bay Area Grant 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 and 182.7 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 funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's 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 federal funds; 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:

1. the commitment of any required matching funds of at least 11.47%; and
2. 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
3. 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
4. the assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
5. that the project will comply with all project-specific requirements as set forth in the PROGRAM; and
6. that the project (transit only) 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.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under MAP-21 for continued funding.

BE IT FURTHER RESOLVED that the APPLICANT by adopting this resolution does hereby state that:

1. APPLICANT will provide at least \$639,100 in matching funds; and
2. 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
3. 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 projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA-funded transportation projects implemented by APPLICANT; and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount approved by MTC and programmed in the federal TIP; and
5. APPLICANT and the PROJECT will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the PROGRAM.

BE IT FURTHER RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects.

BE IT FURTHER RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT.

BE IT FURTHER RESOLVED that there is no legal impediment to APPLICANT making applications for the funds.

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.

BE IT FURTHER RESOLVED that APPLICANT authorizes its City Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution.

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application.

BE IT FURTHER RESOLVED that the MTC is requested to support the application for the PROJECT described in the resolution and to include the PROJECT, if approved, in MTC's federal TIP.

**FY 2012/13 COORDINATED FUNDING PROGRAM
DRAFT PROGRAM**

\$ x 1,000												
Index#	Jurisdiction	Project	CATEGORY	Scores	Total Project Cost	Total Requested	OBAG - LSR	OBAG - PDA	IMB - VRF Bike/Ped	IMB Transit	VRF Transit	Table Requested
1	City of Berkeley	Shattuck Reconfiguration & Ped Safety		81.5	\$ 3,152	\$ 2,777		\$ 2,777				2,777
2	City of Oakland	7th St W Oakland Transit Village Phase II		80.7	\$ 4,066	\$ 3,288		\$ 3,288				3,288
3	City of Berkeley	Berkeley BART Plaza & Transit Area Improvements		80.6	\$ 10,456	\$ 7,784		\$ 4,066			\$ 3,713	7,784
4	City of Oakland	Lakeside Green Street Project		80.0	\$ 11,605	\$ 7,000		\$ 7,000				7,000
5	City of Oakland	Hearts 51 Improvements Component		79.7	\$ 3,365	\$ 2,979		\$ 2,979				2,979
6	City of Union City	UC BART Stationing & Bicycling Component		79.0	\$ 2,603	\$ 14,422		\$ 8,692			\$ 5,730	14,422
7	City of Berkeley	Hearts Ave Complete Streets	PMA SUPPORTIVE	78.5	\$ 2,865	\$ 1,150	\$ 1,006	\$ 1,150				1,150
8	City of Oakland	Bike Lane Component		77.7	\$ 2,640	\$ 2,112		\$ 422				2,112
9	City of Oakland	MLK Way Improvements Component		76.9	\$ 2,795	\$ 2,473		\$ 2,473				2,473
10	City of Emeryville	Christie Ave Bay Trail/Gap Closure		75.5	\$ 550	\$ 550		\$ 550				550
11	City of Fremont	Fremont City Center multi-Modal Improvements		71.3	\$ 14,340	\$ 6,360		\$ 5,643				6,360
12	AC Transit	East Bay Bus Rapid Transit Bike/Ped Elements		69.1	\$ 7,189	\$ 7,189			\$ 200			7,189
13	EBRPD	Bay Trail - Gilman to Buchanan		81.2	\$ 4,951	\$ 1,000		\$ 1,000				1,000
14	City of Alameda	Cross Alameda Trail	BIKE/PED PROJ (PRIORITY NETWORK)	77.9	\$ 991	\$ 793			\$ 793			793
15	City of Albany	Suchanah Mission Blweway		77.8	\$ 1,235	\$ 536			\$ 536			536
16	City of San Leandro	W Luana Ped Improvements		74.8	\$ 724	\$ 724			\$ 346			724
17	City of Oakland	Struble Alameda Gap Closure Streetscape Project	FEAS. STUDY	28.0	\$ 2,062	\$ 206			\$ 113			206
18	City of Piedmont	Piedmont Pedestrian and Bicycle Master Plan	B/P PLAN	31.8	\$ 120	\$ 102			\$ 102			102
19	Cycles of Change	Bike Go Round (Education/Safety Program)	B/P OPS	74.8	\$ 840	\$ 360			\$ 240			360
20	City of Alameda	Estuary Crossing Shuttle		74.0	\$ 941	\$ 459				\$ 200		459
21	City of Oakland	Broadway Shuttle	TRANSIT OPS	72.2	\$ 2,670	\$ 546				\$ 352		546
22	AVTA	Route 10 & Rapid Route Operations		71.2	\$ 7,932	\$ 1,000			\$ 1,000			1,000
23	AVTA	Route 12x, 20x and 70x Operations		71.0	\$ 3,905	\$ 1,000			\$ 1,000			1,000
Subtotal					\$ 114,618	\$ 64,840	\$ 1,006	\$ 35,700	\$ 3,680	\$ 2,200	\$ 10,000	\$ 95,936
Total Recommended					\$ 135,679	\$ 80,057	\$ 15,257	\$ 35,700	\$ 3,680	\$ 2,200	\$ 10,000	\$ 85,342

FY 2012/13 COORDINATED FUNDING PROGRAM
DRAFT PROGRAM

Index#	Jurisdiction	Project	CATEGORY	Scores	Total Project Cost	Total Requested	OBAG - LSR	OBAG - PDA	IMB - VRF Bike/Ped	IMB Transit	VRF Transit	Table Responsibility	Notes				
														\$ x 1,000			
1	City of Oakland	Coliseum BART Corridor and Infrastructure Connections	PDA SUPPORTIVE	65.7	\$ 2,823	\$ 2,321							Also Scored in Bike/Ped Category				
2	City of Livermore	Segment 1 of the Iron Horse Trail, a Class I Multi-Use Trail (Isabel through Municipal)		65.3	\$ 1,941	\$ 1,630								Evaluated application components separately			
3	City of Union City	Decoto Road and Decoto Rail Crossing Improvement Component (of BART Phase 2.8, Decoto Rd. Complete Streets App.)		64.5	\$ 6,505	\$ 5,312											
4	City of Oakland	Tyrone Carney Park/105th Reconfiguration		64.3	\$ 1,972	\$ 1,571											
5	City of Dublin	Amador Plaza Road Complete Street Improvements		58.1	\$ 5,437	\$ 4,213								Also Scored in Bike/Ped Category			
6	City of Pleasanton	1-580 At Foothill Road Interchange Improvements		57.1	\$ 4,560	\$ 1,630											
7	Alameda County PWA	"A" Street Class II Bike Lane	BIKE/PED PROJECTS (PRIORITY NETWORK)	72.8	\$ 244	\$ 54											
8	Alameda County PWA	"A" Street Ped Safety		72.2	\$ 1,245	\$ 400											
9	City of Livermore	Segment 1 of the Iron Horse Trail, a Class I Multi-Use Trail (Isabel through Municipal)		70.3	\$ 1,941	\$ 1,630								Also Scored in PDA Supportive Category			
10	Alameda County PWA	Fairmont Dr Bike Lane		64.1	\$ 380	\$ 380											
11	City of San Leandro	14th St Area Streetscape		63.0	\$ 6,320	\$ 5,630											
12	City of Albany	Albany Bike/Pedwayfinding		62.6	\$ 311	\$ 240											
13	City of Pleasanton	Microwave Ped & Bike Detection in Hacienda	BIKE/PED PROJECTS (PRIORITY NETWORK)	61.8	\$ 205	\$ 205											
14	City of Hayward	Main St Complete St		59.7	\$ 2,127	\$ 2,027											
15	City of Pleasanton	1-580 At Foothill Road Interchange Improvements		59.6	\$ 4,560	\$ 1,630								Also Scored in PDA Supportive Category			
16	City of Pleasanton	Foothill Road - Bicycle Lane Gap Closure		55.6	\$ 1,035	\$ 915											
17	City of Hayward	Update of Citywide Bicycle MP, Prep of Ped MP, SR25		24.6	\$ 300	\$ 300											
18	City of Oakland	Lake Merritt Canal/Bike/Ped Bridge		FEASIBILITY STUDY	29	\$ 15,000	\$ 400										
19	City of Dublin	Iron Horse Trail/BART Connectivity Feasibility Study	25.8		\$ 350	\$ 309											
20	City of Oakland	Park Blvd Path Feasibility Study	23.2		\$ 395	\$ 197											
21	City of Pleasanton	Feasibility Study for Ped & Bike Bridges	19.6		\$ 50	\$ 25											
22	EBRPD	Mills Canyon Regional Trail Feasibility Study	18.4		\$ 150	\$ 75											
23	AC Transit	Line 51 Corridor GPS-based Transit Signal Priority	TRANS. CAP		74	\$ 11,515	\$ 1,000										
24	Alameda County PWA	Mills Canyon Road Ped Safety		See Notes	\$ 140	\$ 95								Project in Vision Network; Considered Tier 2			
25	Alameda County PWA	Mabel Ave Ped Safety		See Notes	\$ 1,035	\$ 445								Project in Vision Network; Considered Tier 2			
26	Alameda County PWA	E Castro Valley Blvd Bike Lane		See Notes	\$ 940	\$ 480								Project in Vision Network; Considered Tier 2			
27	Alameda County PWA	Milnes Rd Bike Lane		See Notes	\$ 56	\$ 50								Project in Vision Network; Considered Tier 2			
28	City of Dublin	Village Parkway Bicycle & Pedestrian Improvements		See Notes	\$ 2,862	\$ 2,533								Project in Vision Network; Considered Tier 2			
29	City of Livermore	Arroyo Las Positas Class I Multi-Use Trail	See Notes	\$ 3,771	\$ 2,918								Project in Vision Network; Considered Tier 2				
30	City of Pleasanton	Bernal Avenue Bridge Over Arroyo de la Laguna	See Notes	\$ 2,200	\$ 500								Project in Vision Network; Considered Tier 2				
31	City of San Leandro	W San Leandro Bikeways	See Notes	\$ 569	\$ 569								Project in Vision Network; Considered Tier 2				
32	EBRPD	Shadow Cliffs to Del Valle Trail	See Notes	\$ 1,430	\$ 1,200								Project in Vision Network; Considered Tier 2				
33	LAPPD	Sycamore Grove Park Trail Renovation	See Notes	\$ 1,852	\$ 1,717								Project in Vision Network; Considered Tier 2				
34	City of San Leandro	San Leandro Downtown Parking Mgmt	See Notes	\$ 332	\$ 332								Project not eligible for OBAG funding - sponsor requested to consider applying for US Dept of Transportation funds				
35	EBRPD	Iron Horse Trail - Dublin/Pleasanton BART to Santa Rita	See Notes	\$ 4,320	\$ 750								Project fully funded: Ground Breaking Event held on May 1st				
											\$ 81,872	\$ 41,063	\$ -	\$ -	\$ -	\$ -	\$ -

