



Office of the Mayor

CONSENT CALENDAR
December 12, 2006

To: Members of the City Council

From: Mayor Tom Bates
Councilmember Max Anderson
Councilmember Kriss Worthington

Subject: Ed Roberts Campus Transportation for Livable Communities - Resolution of Local Support for SAFETEA STP/CMAQ Funding

RECOMMENDATION

Adopt a resolution of local support authorizing the filing of an application for federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) funding and committing the necessary non-federal match and stating the assurance to complete the project.

The funding amount is \$2,000,000 from the Metropolitan Transportation Commission (MTC) Transportation for Livable Communities (TLC) 2006 Capital Program for transportation enhancements related to the Ed Roberts Campus (ERC) at the Ashby BART Station.

FISCAL IMPACTS OF RECOMMENDATION:

The City, on behalf of the Ed Roberts Campus, applied for \$3,000,000 in TLC capital grant funds in June 2006 to support the construction of significant transportation enhancements which will improve the safety and access of pedestrians, bicyclists, wheelchair users and other individuals with impairments that limit mobility at the Ashby BART Station. In September 2006, MTC awarded the ERC \$2,000,000 for the purposes listed above.

The grant program does not require any matching funds from the City of Berkeley. The ERC will secure the 11.5% required match from ACTIA or private sources.

BACKGROUND

The Ed Roberts Campus project has been designed to improve safety and access to the Ashby BART Station and contiguous streets for pedestrians, bicyclists and people with disabilities. It will provide universal access for large numbers of people with disabilities and is expected to significantly increase ridership at the Ashby BART Station with increased interconnectivity to AC Transit, paratransit, etc. Bicycle access to the station will be encouraged with improved signage and secure bike parking.

RATIONALE FOR RECOMMENDATION

These funds will support infrastructure improvements at the Ashby BART Station / Ed Roberts Campus that meet the TLC program's key objectives to "to encourage pedestrian, bicycle and transit trips; support a community's larger infill development or revitalization effort; and provide for a wider range of transportation choices, improved internal mobility, and stronger sense of place." These TLC funds will support the construction of significant bicycle and pedestrian improvements from Tremont Street to Adeline Street through the BART parking lot which will have new pedestrian-scale lighting and landscaping designed to improve public safety; a new driveway off Adeline Street to the BART parking lot which will benefit the surrounding residential neighborhood by moving BART traffic off Woolsey Street; and complete a new pedestrian concourse connection the BART station to the ERC.

CONTACT PERSONS

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**Resolution of Local Support
SAFETEA STP/CMAQ Funding**

Resolution No.

**Authorizing The Filing Of An Application For Federal Surface Transportation Program (Stp)
And/Or Congestion Mitigation And Air Quality Improvement (Cmaq) Funding And Committing
The Necessary Non-Federal Match And Stating The Assurance To Complete The Project**

WHEREAS, the City of Berkeley (herein referred as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$2,000,000 in funding from the federal Surface Transportation Program (STP) and/or Congestion Mitigation and Air Quality Improvement (CMAQ) program for the Transportation Enhancements to Ashby BART Station/Ed Roberts Campus (herein referred as PROJECT) for the MTC Transportation for Livable Communities, MTC Resolution Number 3723, (herein referred as PROGRAM); and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA) (Public Law 109-59, August 10, 2005) continues the Surface Transportation Program (23 U.S.C. § 133) and the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149); and

WHEREAS, pursuant to SAFETEA, and the regulations promulgated thereunder, eligible project sponsors wishing to receive federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Program (STP/CMAQ) funds for a project shall submit an application first with the appropriate Metropolitan Planning Organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO 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 STP/CMAQ funds; and

WHEREAS, APPLICANT is an eligible project sponsor for STP/CMAQ funds; and

WHEREAS, as part of the application for STP/CMAQ funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- 1) the commitment of necessary local matching funds of at least 11.47%; and
- 2) that the sponsor understands that the STP/CMAQ funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional STP/CMAQ funds; and
- 3) that the project will comply with the procedures specified in 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 TIP; and

- 5) that the project will comply with all the project-specific requirements as set forth in Transportation for Livable Communities program.

NOW, THEREFORE, BE IT RESOLVED that the City of Berkeley is authorized to execute and file an application for funding under the Surface Transportation Program (STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) of SAFETEA for Transportation Enhancements to Ashby BART Station/Ed Roberts Campus; and be it further

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

1. APPLICANT will provide \$229,400 in non-federal matching funds; and
2. APPLICANT understands that the STP/CMAQ 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 STP/CMAQ 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, as revised); and
4. PROJECT will be implemented as described in the complete application and in this resolution and, if approved, for the amount programmed in the MTC federal TIP; and
5. APPLICANT and the PROJECT will comply with the requirements as set forth in Transportation for Livable Communities; and therefore be it further

RESOLVED that APPLICANT is an eligible sponsor of STP/CMAQ funded projects; and be it further

RESOLVED that APPLICANT is authorized to submit an application for STP/CMAQ funds 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 STP/CMAQ 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 to include the PROJECT, if approved, in MTC's TIP.