



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Joanna Kwok, Senior Engineer
April Miller, Public Works Director

City Manager Approval: _____

TOPIC: 2023 MTC REGIONAL ACTIVE TRANSPORTATION PROGRAM LOCAL SUPPORT

SUBJECT: RESOLUTION OF LOCAL SUPPORT AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO COMPLETE THE CANAL ACTIVE TRANSPORTATION ENHANCEMENTS PROJECT

RESOLUTION OF LOCAL SUPPORT AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO COMPLETE THE SAN RAFAEL CANAL CROSSING

RECOMMENDATION:

Staff recommends the City Council adopt two resolutions of local support authorizing the filing of applications for funding assigned to MTC, committing any necessary matching funds and stating the assurance to complete the Canal Active Transportation Enhancements and San Rafael Canal Crossing projects.

BACKGROUND:

The Active Transportation Program (ATP) was created by Senate Bill 99 to encourage increased use of active modes of transportation, such as biking and walking. The program aims to increase the proportion of trips accomplished by biking and walking, improve the safety and mobility of non-motorized users, advance efforts to achieve greenhouse gas reduction goals, enhance public health, and provide a broad spectrum of projects to benefit many types of users including disadvantaged communities. In March 2022, the California Transportation Commission (CTC) approved the Active Transportation Program (ATP) Cycle 6 guidelines, and MTC released the Call for Projects for the Regional ATP.

The City of San Rafael applied for funding through the Regional ATP for two projects:

1. Canal Neighborhood Active Transportation Enhancements
2. San Rafael Canal Crossing

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

Canal Neighborhood Active Transportation Enhancements Project

This project will provide pedestrian, bicycle, and transit enhancements in the Canal Neighborhood. Pedestrian enhancements include curb ramp upgrades, sidewalk gap closures, corridor lighting improvements, and uncontrolled crosswalk enhancements. Bicycle improvements include constructing bicycle boulevard treatments and adding secure bicycle parking. Transit improvements include adding transit shelter enhancements at several existing stops and constructing a new transit stop along a high-use transit route. These enhancements would improve mobility, equity, safety, and comfort for non-motorized users traveling to and from the Canal neighborhood. Residents will have better connectivity to key destinations such as schools, parks, and shopping in and out of the community.

The City is requesting \$4,123,000 of ATP funds for the project's planning, environmental clearance, design, and construction. Staff plan to include approximately \$1,031,000 towards the project through the Capital Improvement Program budget process in future fiscal years.

San Rafael Canal Crossing Project

This project will provide a non-motorized bicycle and pedestrian crossing bridge between the Canal Neighborhood and destinations north of San Rafael Creek. The new crossing would provide connectivity within a highly developed active transportation network in central Marin County, including the Bay Trail and the North-South Greenway, ensuring that residents of the Canal Neighborhood and the broader community are provided with safe access to regional destinations.

The City is requesting \$3,925,000 of ATP funds for the project's planning, environmental clearance, and design. The planning and design phase of the project will include stakeholder engagement to ensure that the project meets the needs of the community. The construction of the project is currently unfunded, but City staff will be searching for grant opportunities to fund the remaining project costs.

Both the Canal Neighborhood Active Transportation Enhancements and San Rafael Canal Crossing projects were recommended by MTC staff for funding in the 2023 Regional ATP. On January 25, 2023, MTC adopted the ATP Cycle 6 program of projects, which includes both San Rafael projects. One of the requirements for receiving regional discretionary funds is that the City must adopt a Resolution of Local Support for each of the projects. These resolutions must be submitted to MTC prior to the May 2023 CTC meeting when CTC considers final approval of MTC's Regional ATP. The Resolutions of Local Support for each of the projects is attached to this report.

FISCAL IMPACT:

Adoption of the Resolutions of Local Support is required for the Regional ATP Cycle 6 applications. The City is currently positioned to receive \$8,048,000 to fund two public improvement projects (Canal Neighborhood Active Transportation Enhancements and San Rafael Canal Crossing). Staff intend to include about \$1,031,000 towards the Canal Neighborhood Active Transportation Enhancements Project in the Capital Improvement Plan budget process for future fiscal years and apply for grant opportunities to fund the San Rafael Canal Crossing Project. Additional costs will be included in future budgeting years if needed.

RECOMMENDED ACTION:

Adopt the resolutions of local support authorizing the filing of applications for funding assigned to MTC and committing any necessary matching funds and stating the assurance to complete the projects.

ATTACHMENTS:

1. Resolution of Local Support Canal Active Transportation Enhancements Project
2. Resolution of Local Support San Rafael Canal Crossing Project

**RESOLUTION OF LOCAL SUPPORT
RESOLUTION NO.**

**RESOLUTION OF LOCAL SUPPORT AUTHORIZING THE FILING OF AN
APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY
NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO
COMPLETE THE CANAL ACTIVE TRANSPORTATION ENHANCEMENTS PROJECT**

WHEREAS, the City of San Rafael (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$4,123,000 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 Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as REGIONAL DISCRETIONARY FUNDING) for the Canal Active Transportation Enhancements Project (herein referred to as PROJECT) for the Regional Active Transportation Program (ATP) Cycle 6 (herein referred to as PROGRAM); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant 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 (TA) set-aside (23 U.S.C. § 133); 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 the FEDERAL TRANSPORTATION ACT, 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 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 the FEDERAL TRANSPORTATION ACT 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, City 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, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Monday, the 1st day of May 2023, by the following vote, to wit:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Lindsay Lara, City Clerk

**RESOLUTION OF LOCAL SUPPORT
RESOLUTION NO.**

**RESOLUTION OF LOCAL SUPPORT AUTHORIZING THE FILING OF AN
APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY
NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO
COMPLETE THE SAN RAFAEL CANAL CROSSING PROJECT**

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WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the FEDERAL TRANSPORTATION ACT) including, but not limited to the Surface Transportation Block Grant 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 (TA) set-aside (23 U.S.C. § 133); 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 the FEDERAL TRANSPORTATION ACT, 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

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AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:

Lindsay Lara, City Clerk