

**Council Meeting: May 8, 2012****SUBJECT: Adopt a Resolution to Authorize the Filing of the Fiscal Year 2012/13 Transportation Development Act Article 3 Application for Pedestrian and Bicycle Projects.****BACKGROUND**

The Transportation Development Act (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) which annually returns, to each region in the State, sales tax revenues that are to be used for bicycle and pedestrian projects. In order to receive funds in the 2012/13 funding cycle, the City of Sunnyvale must submit potential projects to the VTA and to the MTC. Potential projects must be reviewed by the City's Bicycle and Pedestrian Advisory Commission, must be in an approved bicycle plan, have environmental clearance prior to expenditure (for construction projects only), have an authorizing resolution (Attachment A), and be able to begin construction within one year.

In FY 2012/13, \$94,203 is guaranteed to the City for eligible projects. Staff and the Bicycle and Pedestrian Advisory Commission (BPAC) recommend funding for a Duane Avenue Bicycle Lanes project. This project is currently the first priority from the Bicycle Capital Improvement Program. The project would install bike lanes on Duane Avenue from Fair Oaks Avenue to Lawrence Expressway. A street space allocation study would need to be completed before the project scope is finalized and the project proceeds to construction. It is likely that travel lane removal and/or parking removal would need to be considered to construct bike lanes. The BPAC considered FY 2012/13 TDA candidate projects at its March 15, 2012 meeting (Attachment B – draft BPAC meeting minutes from March 15).

**EXISTING POLICY**

The following documents contain policy direction on this issue.

Land Use and Transportation Element C3.5.4, Maximize the provision of bicycle and pedestrian facilities.

Fiscal Sub-Element 7.1B.4d, Pursue and use intergovernmental assistance for projects in the Ten-Year Capital Improvement Plan.

## **DISCUSSION**

The determination of candidate TDA Article 3 projects for FY 2012/13 was based on review of budgeted projects in the Resource Allocation Plan, as well as unbudgeted projects, review of TDA eligibility requirements, consideration of the Pedestrian Safety and Opportunities Study, Bicycle Capital Improvement Program and Bicycle Plan, and Commission members' and staff's knowledge of bicycle and pedestrian facility needs in the City. Staff presented three potential projects to the BPAC. The BPAC recommends funding for a Duane Avenue Bicycle Lanes project to construct bike lanes on Duane Avenue from Fair Oaks Avenue to Lawrence Expressway. The Bicycle Opportunities Study identifies elimination of a travel lane in each direction as the optimal approach to providing bike lanes. Per City policy, staff would conduct a technical analysis to affirm the design approach for providing bike lanes, and carry out a public outreach effort. A recommendation for roadway reconfiguration would come before the City Council for a decision on the ultimate configuration of the roadway.

## **FISCAL IMPACT**

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 \$94,203 from the City Guarantee Fund apportionment. These funds will be incorporated into the FY 2012/13 Recommended Budget as an expenditure appropriation to a new project, Duane Avenue Bicycle Lanes.

## **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, in the Council Chambers lobby, in the Office of the City Clerk, at the Library, Senior Center, Community Center, and Department of Public Safety; posting the agenda and report on the City's Web site; and making the report available at the Library and the Office of the City Clerk. The Sunnyvale BPAC also held a public hearing on this item at its March 15, 2012 meeting (BPAC Draft meeting minutes - Attachment B).

## **ALTERNATIVES**

1. Adopt the attached resolution authorizing the filing of a project application with the VTA and MTC for allocation of Transportation Development Act funds for FY 2012/13 for pedestrian/bicycle projects for the Duane Avenue bicycle lanes.
2. Approve a candidate project other than the staff or BPAC recommended project.
3. Do not take action at this time and forfeit TDA funds for 2012/13.

**RECOMMENDATION**

Staff and the BPAC recommend Alternative No. 1 - adopt the attached resolution authorizing the filing of a project application with the VTA and MTC for allocation of Transportation Development Act funds for FY 2012/13 for the Duane Avenue bicycle lanes.

The Bicycle and Pedestrian Advisory Commission voted in favor 4-0 vote, (Chair Durham recused) to support allocating Transportation Development Act funding to a Duane Avenue Bicycle Lanes project. Commissioners indicated that they favored the exclusive bike focus of the Duane Avenue project.

Reviewed by:

Kent Steffens, Director, Public Works

Prepared by: Jack Witthaus, Transportation and Traffic Manager

Reviewed by:

Grace Leung, Director of Finance

Approved by:

Gary M. Luebbers

City Manager

**Attachments**

- A. Resolution Approving FY 2012/13 TDA Article 3 Application
- B. Draft BPAC meeting minutes from March 15, 2012

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE AUTHORIZING AN APPLICATION TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2012/2013 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING**

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, entitled “Transportation Development Act, Article 3, Pedestrian/Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Sunnyvale desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Exhibit B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City of Sunnyvale declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and
2. There is no pending or threatened litigation that might adversely affect the project or projects described in Exhibit B to this resolution, or that might impair the ability of the City of Sunnyvale to carry out the project;
3. The City of Sunnyvale attests to the accuracy of and approves the statements in Exhibit A to this resolution; and furthermore, be it
4. A certified copy of this resolution and its exhibits, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Santa Clara County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, 2012, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST:

APPROVED:

\_\_\_\_\_  
City Clerk  
(SEAL)

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
David E. Kahn, City Attorney

**TDA Article 3 Project Application Form**

Fiscal Year of this Claim: FY 2011/12                      Applicant: City of Sunnyvale

Contact person: Jack Witthaus

Mailing Address: P.O. Box 3707, Sunnyvale, CA 94088-3707

E-Mail Address: jwitthaus@ci.sunnyvale.ca.us                      Telephone: (408) 730-7330

Secondary Contact (in event primary not available) Lisa Sandigo

E-Mail Address: lsandigo@ci.sunnyvale.ca.us                      Telephone: (408) 730-7676

**Short Title Description of Project: Duane Avenue Bicycle Lanes**

Amount of claim: \$ 94,203

**Functional Description of Project:**

Construction of bicycle lanes on Duane Avenue in the segment from Fair Oaks Avenue to Lawrence Expressway.

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**Financial Plan:**

List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, inspection, contingency, audit). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments.

**Project Elements:**

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		94,203			94,203
list all other sources:					
1.					
2.					
3.					
4.					
<b>Totals</b>		94,203			94,203

Project Eligibility:	YES?/NO?
<b>A.</b> Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	Yes
<b>B.</b> Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
<b>C.</b> For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: <a href="http://www.dot.ca.gov">http://www.dot.ca.gov</a> ).	Yes
<b>D.</b> Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation).	Yes
<b>E.</b> Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	Yes
<b>F.</b> Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	Yes, 6/13



DRAFT

**SUNNYVALE BICYCLE AND PEDESTRIAN ADVISORY COMMISSION**  
**Meeting Minutes – March 15, 2012**

The Sunnyvale Bicycle and Pedestrian Advisory Commission met at 6:35 p.m. on March 15, 2012 with Commission Chair Ralph Durham presiding. The meeting was held in the West Conference Room, City Hall, 456 West Olive Avenue, Sunnyvale.

**ROLL CALL/CONSIDERATION OF ABSENCES**

**Members Present:** Andrea Stawitcke  
 Angela Rausch  
 David Gandrud  
 James Manidakos  
 Ralph Durham

**Members Absent:** Cathy Switzer (excused)

**Council Liaison Present:** Chris Moylan

**Staff Present:** Kent Steffens, Director of Public Works, Department of Public Works  
 Jack Witthaus, Transportation and Traffic Division Manager, Department of Public Works

**Visitors:** Kevin Jackson, Horizon 2035 Committee member  
 Camie Hackson, Stevens Creek Neighbors  
 Robynn MacNeal, Safe Routes to School representative

**SCHEDULED PRESENTATION**

None.

**PUBLIC ANNOUNCEMENTS**

Commissioner Stawitcke announced that she would not be able to attend the April BPAC meeting.

Kevin Jackson discussed an upcoming Silicon Valley Bicycle Coalition and City of Mountain View bicycle education seminar, to be presented in Spanish. He announced that the County/City Safe Routes to School project will be holding bike rodeos at Sunnyvale schools and announced that a bike ride is being planned for the Ponderosa School area on May 19, and volunteers are welcomed. The first rodeo will be at Ellis School on April 5. He announced a public meeting on the Draft Horizon 2035 Plan on March 15 at Fair Oaks Park. He announced bicycle events associated with the City Centennial celebration on August 25, and 26. He stated that he had contact with representatives of Apple and Google and that they were interested in bicycling initiatives. He announced that the City of Cupertino had received an American Council of Engineering Companies award for its Stevens Creek restoration project.

## **CONSENT CALENDAR**

- 1.A) Approval of Draft Minutes of the February 16, 2012 Meeting
- 1.B) Approval of the 2012 BPAC Calendar Update

Item 1.A was pulled by Commissioner Gandrud. Commissioner Gandrud clarified that under Public Hearing item 3, he had stated that he was concerned that there could be liability to the City if there were significant adverse impacts from removal of on-street parking.

**Motion by Manidakos, second by Stawitcke to approve the minutes as amended and accept the BPAC Master Calendar. Motion approved, 5-0.**

## **PUBLIC COMMENTS**

Kevin Jackson stated that with regard to the Pastoria Avenue bike lanes project, he believes that staff should make a case for residents getting by without on-street parking. He believes that staff recommendations should be made on engineering and policy judgment, independent of public input.

## **PUBLIC HEARINGS/GENERAL BUSINESS**

- 1. ACTION: Transportation Development Act Article 3 Funding Recommendation

Chair Durham recused himself from the meeting on account of his residence' proximity to one of the proposed project locations to be considered for a funding recommendation. Vice-Chair Manidakos assumed the Chair's role.

Staff gave a report.

Acting Chair Manidakos indicated concern that the Sunnyvale Avenue/Old San Francisco Road was primarily to benefit auto traffic. He indicated support for the Duane Avenue bike lanes project.

The public hearing was opened. Kevin Jackson indicated support for the Duane Avenue project. He suggested two other candidate projects, placement of Bikes Allowed Use of Full Lane signs and funding for establishing no parking zones at signalized and stop controlled intersections.

The public hearing was closed.

Motion by Stawitcke, second by Manidakos, for a funding recommendation to rank the Duane Avenue bike lanes project first, Pedestrian Safety and Opportunities Study improvements second, and Old San Francisco/Sunnyvale Avenue improvements third. Commissioners indicated that they support the exclusive bike focus of the Duane Avenue project, that the Pedestrian Safety and Opportunities Study improvements were primarily curb retrofits that did not provide new facilities, and that the Old San Francisco Road/Sunnyvale Avenue project was too car-oriented. Motion passes, 4-0.

- 2. ACTION: El Camino Real Bus Rapid Transit Conceptual Engineering/Alternatives Study Recommendation

Chair Durham assumed the Chair.

Staff gave a report summarizing where the Santa Clara Valley Transportation Authority (VTA) is in their process to consider Federal funding for El Camino Real bus rapid transit (BRT) and why the City is being solicited for a position. Staff indicated that the BPAC should consider the project as a whole, and specific elements of the project alternatives, from a bicycle and pedestrian perspective. Staff stated that a community meeting would be held on April 17 at the Community Center at 7 p.m.

Council Liaison Moylan provided some history on the development of BRT planning and light rail development in Sunnyvale and Santa Clara County. At Council Liaison Moylan's request, staff explained that Federal funding requires that 50% of the project corridor be dedicated bus lanes, and that only Santa Clara has indicated support for dedicated lanes. Sunnyvale and Mountain View have not taken formal positions, but their support would be necessary to qualify the project for Federal funds.

Vice-Chair Manitakos expressed concern about bike space at station locations. He noted that 14' lanes at bulb outs would meet the VTA Bicycle Technical Guidelines. He presented an analysis concluding that 9 of 24 unsignalized crossings or turn pockets would be closed by a dedicated lane option, which would require detours of over 1 mile at some locations for cyclists to cross the street. He indicated he did not support dedicated lanes without provisions to maintain access across the street. He questioned the accuracy of detailed greenhouse gas and traffic projections.

Commissioner Rauch inquired about rider demographics. Council Liaison Moylan indicated that Alum Rock BRT users would be mostly transit dependent, lower income citizens, while El Camino bus service serves a more mixed demographic, including a high number of commuters.

Commissioner Stawitcke stated that the project would likely be a good thing for El Camino corridor traffic, but not good for bicycle access across the corridor, and may even discourage bicycle riding. She indicated opposition to bulb outs. She believes that the cities not supporting dedicated lanes should be encouraged to support dedicated lanes throughout the corridor.

Commissioner Gandrud asked for an independent analysis of the VTA's findings.

Chair Durham pointed to Tasman Drive bicycle and pedestrian impacts of light rail as an example of how dedicated lanes could become a barrier to travel in the City and a deterioration of bicycle conditions. He stated that the project should address the significant existing pedestrian safety issues on El Camino Real. He stated that El Camino Real is a major travel corridor accessing the entire Peninsula, and it needs bike lanes. He believes that off-street parking supply can easily absorb the on-street demand, and on-street parking should be eliminated to provide bike lanes. He questioned travel diversion statistics. He believes that bulb outs would need to be demarcated. He indicated that he does not support mixed flow lanes because of the lack of transit benefit.

The public hearing was opened. Bobynn MacNeal indicated that schools for residents north of El Camino are located south of El Camino, and the roadway presents a major barrier for school kids to walk and bike to school. She asked for improved bike and pedestrian conditions to cross El Camino. Council Liaison Moylan indicated that at a recent forum a representative of the County Health Department had indicated that dedicated lane BRT would improve bicycle and pedestrian safety.

Kevin Jackson indicated that mixed flow and six lane alternatives did not provide transit, urban design, and bicycling benefits. He believes that providing dedicated lanes by removing a travel lane in each direction address all aspects of the roadways current travel problems.

The public hearing was closed.

Motion by Manidakos, second by Gandrud, to support a four lane plus dedicated bus lanes alternative with the provision that existing cross street access is maintained for bicycles and pedestrians. Commissioners indicated that the spacing of signalized, full access intersections is so great that it necessitates crossings between the intersections, and that safe crossings for bicycles and pedestrians can address the current danger of crossing El Camino Real at mid-block locations. Motion passes, 5-0.

### **NON-AGENDA ITEMS AND COMMENTS**

- COMMISSIONERS ORAL COMMENTS

Commissioner Stawitcke inquired about Bike to Work Day.

Commissioner Rausch indicated that she would not be able to attend the April BPAC meeting. She inquired about noticing for the Pastoria Avenue bike lanes neighborhood meeting.

Commissioner Gandrud stated that he would not be able to attend the May meeting.

Vice-Chair Manidakos inquired about bike counts on El Camino Real, and the traffic volume on Pastoria Avenue.

- STAFF ORAL COMMENTS

Staff provided an update on developer-funded bicycle projects on Moffett Park Drive and Fair Oaks Avenue.

### **INFORMATION ONLY ITEMS**

1. BPAC E-mail messages and/or letters since circulation of the agenda packet of the January 19, 2012 meeting.
2. BPAC Active Items List.

Commissioner Stawitcke inquired about an email message about a sidewalk obstruction.

Director Steffens reiterated that there would be a community meeting on the El Camino Real BRT project on April 17 at 7 p.m. at the Community Center.

The Information Only items were accepted as submitted.

### **ADJOURNMENT**

Meeting adjourned at 8:22 p.m.

Respectfully submitted by:

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Jack Witthaus  
Transportation and Traffic Manager