

SUBJECT: DE-OBLIGATION OF MEASURE 'R' ALTERNATIVE TRANSPORTATION FUNDED PROJECTS

SOURCE: Public Works Department - Engineering Division

COMMENT: On two occasions in 2012, staff obtained City Council's approval to secure Measure R Bike/Pedestrian/Transit ("Alternative Transportation") Funds for several projects from the Tulare County Association of Governments, acting as the Local Transportation Authority ("Authority"). City Council approved the Measure R funding and executed Supplemental Agreements for five (5) Congestion Mitigation and Air Quality (CMAQ) shoulder stabilization projects during the July 17, 2012 meeting and three (3) parkway/trail projects during the August 7, 2012 meeting. The projects are:

July 17, 2012 City Council Meeting (Shoulder Stabilization Projects):

- Indiana Street CMAQ Shoulder Stabilization Project
- Mathew Street CMAQ Shoulder Stabilization Project
- Morton Avenue CMAQ Shoulder Stabilization Project
- Newcomb Street CMAQ Shoulder Stabilization Project
- Westwood Street CMAQ Shoulder Stabilization Project

August 7, 2012 City Council Meeting (Parkway/Trail Projects):

- Tule River Parkway, Phase III Project
- Tule River Parkway, Phase IV Project
- Veteran's Park Trailway Improvement Project

After the execution of the parkway/trail project Supplemental Agreements (SA), TCAG informed staff that the City had exceeded our \$2,000,000 Measure R "Alternative Transportation" funding allotment by about \$800,000. Staff purposely over-programmed its allocation of Measure R Bike & Pedestrian funds. It was staff's hope that annual incremental surplus funds generated within this category could be secured to fund bike & ped projects beyond the initial \$2 million limit. Unfortunately, the Measure R program guidelines for this category of work require that all agencies expend their funding allocation before additional funds can be programmed for new projects. On top of that, Measure R Amendment No. 3 was in circulation and out of the Amendment came an incentive program for "Alternative Transportation" funding category. The incentive program is:

"For Transit/Bike/Pedestrian Program projects shown on Table 5 and 5a, obtaining funding or grants is encouraged. For every dollar of Measure R sales tax funding saved by an agency through obtaining TCTA Board approval outside grants, 10% will be provided to that agency for an Air Quality Program project. The list of grant categories that are applicable for the 10% incentive include: CMAQ, TAP, and FTA competitive grants or other state/federal grants approved by TCAG/TCTA. The TCTA Board will have authority to modify, change, add or delete project grant categories eligible for the 10% incentive at a regularly scheduled TCTA Board meeting by resolution. The TCTA Board will also have authority to increase or decrease the incentive percentage at a regularly scheduled TCTA Board meeting by resolution, with the understanding that any incentive grant already awarded under this incentive provision will be grandfathered into the existing program."

Staff believes the Westwood Street CMAQ Shoulder Stabilization Project should be removed from the list of projects because it is not currently funded in the STIP and is no longer eligible for CMAQ funds under the new program guidelines. The remaining shoulder stabilization projects are programmed in the STIP and fully funded by Measure R, CMAQ and Local Transportation funds.

Staff also feels the Tule River Parkways, Phase IV should be removed from the list because the executed SA is for the purpose of design and property acquisition only, and the likelihood of obtaining a construction grant for this segment of the Tule River Parkway at this time are unlikely. In the opinion of staff, the Tule River Parkway, Phase III has a high probability of obtaining a grant because it meets several CMAQ application requirements and the Veteran's Trail Improvement project is currently designed and fully funded.

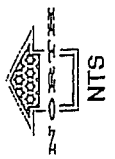
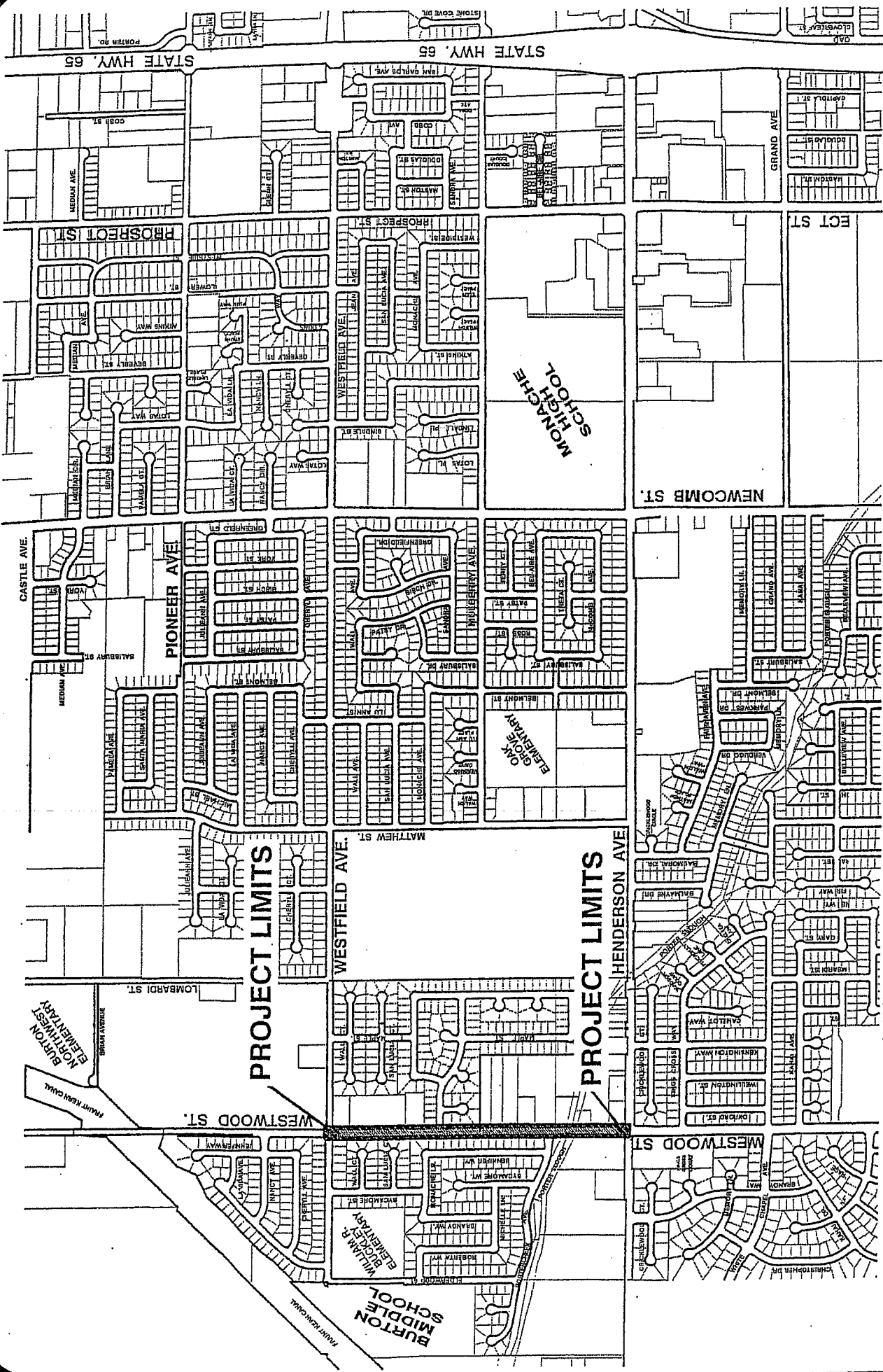
The Westwood Street Shoulder Stabilization Project SA secured \$277,500 in Measure R funds. The Tule River Parkway, Phase IV SA secured \$965,000 in Measure R funds. There will be over \$400,000 available to the City for Bike and Pedestrian oriented projects. The available funding will also allow the City to take advantage of the Amendment No. 3 incentive program, if Council approves a funding de-obligation for these two projects.

TCAG has informed the City that the passage of a Resolution will de-obligate the funding of the staff recommended projects. Resolutions are included in Council's packet and the funds for the two (2) suggested projects will be de-obligated upon execution and transmittal to the "Authority".

RECOMMENDATION: That the City Council:

1. Approve the de-obligation of Measure R "Alternative Transportation" Funds for the Westwood Street CMAQ Shoulder Stabilization Project and the Tule River Parkway, Phase IV Project;
2. Approve the De-Obligation Resolutions; and
3. Direct the City Clerk to transmit the signed Resolutions to the "Authority".

ATTACHMENTS: Locator Maps
Resolutions



Westwood Street between Henderson Avenue and Westfield Avenue

PROJECT LIMITS

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STATE HWY. 65

NEWCOMB ST.

WESTFIELD AVE.

HENDERSON AVE.

PIONEER AVE.

CASTLE AVE.

WESTWOOD ST.

WESTWOOD ST.

BURTON MIDDLE SCHOOL

OAK GROVE ELEMENTARY

MONARCHE HIGH SCHOOL

BURTON NORTHWEST ELEMENTARY

Map showing numerous street names including: STATE HWY. 65, NEWCOMB ST., WESTWOOD ST., WESTFIELD AVE., HENDERSON AVE., PIONEER AVE., CASTLE AVE., GRAND AVE., ECT ST., PROSPECT ST., WESTFIELD AVE., MONARCHE HIGH SCHOOL, OAK GROVE ELEMENTARY, BURTON MIDDLE SCHOOL, BURTON NORTHWEST ELEMENTARY, and many residential streets like LA JOLLA, LA VISTA, and LA BARRA.

RESOLUTION NO. _____ - 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AFFIRMING AND APPROVING THE DE-OBLIGATION OF MEASURE R BIKE AND
PEDESTRIAN PROGRAM FUNDS FOR THE WESTWOOD STREET SHOULDER
STABILIZATION PROJECT – DESIGN, PROPERTY ACQUISITION AND
CONSTRUCTION PHASES

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to receive reimbursement of costs for design efforts and acquiring properties related to the Westwood Street Shoulder Stabilization Project, which meets the Measure R guidelines and City General Plan for alternate modes of travel; and

WHEREAS, the City of Porterville has exceeded the allotment of Measure R Bike and Pedestrian Program funds; and

WHEREAS, the Tulare County Association of Governments is requesting that the City of Porterville approve the de-obligation of \$277,500 in Measure R Bike and Pedestrian Program funds for the design, property acquisition and construction costs for the Westwood Street Shoulder Stabilization Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby affirm and approve de-obligation of Measure R Bike and Pedestrian funds for the design and property acquisitions of Westwood Street Shoulder Stabilization Project and authorizes the Mayor and City Clerk to execute the Resolution and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 1st day of October, 2013.

Cameron J. Hamilton, Mayor

ATTEST:
John D. Lollis, City Clerk

By: Patrice Hildreth, Chief Deputy City Clerk

RESOLUTION NO. _____ - 2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE
AFFIRMING AND APPROVING THE DE-OBLIGATION OF MEASURE R BIKE AND
PEDESTRIAN PROGRAM FUNDS FOR THE TULE RIVER PARKWAY, PHASE IV
PROJECT – DESIGN AND PROPERTY ACQUISITION PHASE

WHEREAS, the City of Porterville Bike and Pedestrian Program is eligible to receive reimbursement of costs for design efforts and acquiring properties related to the Tule River Parkway, Phase IV Project, which meets the Measure R guidelines and City General Plan for alternate modes of travel; and

WHEREAS, the City of Porterville has exceeded the allotment of Measure R Bike and Pedestrian Program funds; and

WHEREAS, the Tulare County Association of Governments is requesting that the City of Porterville approve the de-obligation of \$965,000 in Measure R Bike and Pedestrian Program funds for the design and property acquisition costs for the Tule River Parkway, Phase IV Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby affirm and approve de-obligation of Measure R Bike and Pedestrian funds for the design and property acquisitions of Tule River Parkway, Phase IV Project and authorizes the Mayor and City Clerk to execute the Resolution and any other related documents as may be required.

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Cameron J. Hamilton, Mayor

ATTEST:
John D. Lollis, City Clerk

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STABILIZATION PROJECT – DESIGN, PROPERTY ACQUISITION AND
CONSTRUCTION PHASES

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WHEREAS, the City of Porterville has exceeded the allotment of Measure R Bike and Pedestrian Program funds; and

WHEREAS, the Tulare County Association of Governments is requesting that the City of Porterville approve the de-obligation of \$277,500 in Measure R Bike and Pedestrian Program funds for the design, property acquisition and construction costs for the Westwood Street Shoulder Stabilization Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby affirm and approve de-obligation of Measure R Bike and Pedestrian funds for the design and property acquisitions of Westwood Street Shoulder Stabilization Project and authorizes the Mayor and City Clerk to execute the Resolution and any other related documents as may be required.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Porterville does hereby affirm and approve de-obligation of Measure R Bike and Pedestrian funds for the design and property acquisitions of Tule River Parkway, Phase IV Project and authorizes the Mayor and City Clerk to execute the Resolution and any other related documents as may be required.

PASSED, APPROVED and ADOPTED this 1st day of October, 2013.

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