



Legislation Details (With Text)

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Title: Action on an Agreement with the Santa Clara Valley Transportation Authority for Funding from the 2016 Measure B Bicycle & Pedestrian Education and Encouragement Program [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

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Attachments: 1. Agreement

| Date | Ver. | Action By | Action | Result |
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| 6/9/2020 | 1 | Council and Authorities Concurrent Meeting | Approved | |

REPORT TO COUNCIL

SUBJECT

Action on an Agreement with the Santa Clara Valley Transportation Authority for Funding from the 2016 Measure B Bicycle & Pedestrian Education and Encouragement Program [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

BACKGROUND

In 2016, Santa Clara County voters approved "Measure B," a 30-year half-cent county-wide sales tax to fund improvements for nine transportation related program categories. The program categories are defined as: BART Silicon Valley Phase II, Caltrain Corridor Capacity Improvements, County of Santa Clara Expressways, Local Streets and Roads, Transit Operations, Bicycle/Pedestrian, Caltrain Grade Separations, Highway Interchanges and State Route 85 Corridor. The Bicycle/Pedestrian program category includes funding for a Bicycle/Pedestrian Education and Encouragement Program. The Santa Clara Valley Transportation Authority administers these funds and requires each agency in Santa Clara County to execute a funding agreement with the VTA in order to receive the annual Bicycle/Pedestrian Education and Encouragement Program funding from the Measure B sales tax.

Measure B was challenged in court shortly after it was approved, resulting in a more than two-year delay in the distribution of the collected funds to local jurisdictions until the California Supreme Court denied a petition for review in late January 2019. Collection of the half-cent sales tax started in April 2017 and funds were held in escrow with the VTA pending resolution of the legal challenge.

DISCUSSION

Measure B will provide each local jurisdiction within Santa Clara County an annual source of guaranteed funding for Bicycle/Pedestrian Education and Encouragement Program expenditures. This program covers three main categories: 1) activities and the development and distribution of materials that are designed and intended to promote, educate, and/or encourage safe walking or

bicycling for residents or visitors of all ages and abilities, 2) communication to residents and visitors about the benefits of walking and bicycling, and 3) communication to school children, residents, and visitors about the rights and responsibilities of pedestrians, bicyclists, and motorists. Annual funding for local jurisdictions is based upon population and a minimum share of \$10,000 was established for each jurisdiction.

With litigation against the 2016 Measure B tax resolved, the City is scheduled receive a total of \$204,095.47 in funding from the Bicycle/Pedestrian Education and Encouragement Program for FY 2017/18 through FY 2019/20. The \$204,095.47 includes the following annual funding per fiscal year: 1) \$67,531 for FY 2017/18, 2) \$67,531 for FY 2018/19, and 3) \$69,033.47 for FY 2019/20. These annual funding allotments are available on a reimbursement basis.

This funding agreement (Attachment 1) is necessary to receive funding from VTA and will be valid for the Bicycle/Pedestrian Education and Encouragement funds through June 30, 2021. VTA may extend the terms of this Agreement for two additional two-year periods.

The City administers a Safe Routes to Schools program which is funded by a \$500,000 Vehicle Emissions Reductions Based at Schools (VERBS) grant. Currently, the City is in the final year of a three-year Safe Routes to Schools program and VERBS grant funding is no longer available for bicycle and pedestrian education and encouragement. If the Agreement is approved by City Council, staff will utilize the VTA Bicycle and Pedestrian Education and Encouragement funds towards a new Santa Clara Safe Routes to Schools program. Staff is targeting summer of 2020 for the issuance of a new Request for Proposals (RFP) for professional services for the program.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organization or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

The Measure B funding for the Bicycle/Pedestrian Education and Encouragement Program of \$204,095 was assumed in the development of the FY 2020/21 and FY 2021/22 Proposed Biennial Capital Improvement Program Budget and allocated to the Safe Routes to School project in the Streets and Highways Capital Fund.

COORDINATION

This report has been coordinated with the City Attorney's Office and the Finance Department.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

1. Approve and authorize the City Manager to execute the agreement with the Santa Clara Valley Transportation Authority for funding from the 2016 Measure B Bicycle & Pedestrian Education and

- Encouragement Program; and
2. Authorize the City Manager to make minor, non-substantive modifications to the Agreement, if needed.

Reviewed by: Craig Mobeck, Director of Public Works
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement