TRANSMITTAL	·	0220-04484-0000
The City Council	MAY 0 6 2009	COUNCIL FILE NO.
FROM The Mayor	<u> </u>	COUNCIL DISTRICT

Transportation Development Act Article 3 Fund Allocations for 2004-05 and 2005-06

Transmitted for your consideration. See the City Administrative Officer report attached.

RPC:ALB:06090218t

CAO 649-d

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date:

May 1, 2009

CAO File No.

0220-04484-0000

Council File No. Council District:

To:

The Mayor

From:

Raymond P. Ciranna, Interim City Administrative Officer

Reference:

Report from the Department of Transportation dated February 2, 2009; Referred by

the Mayor on February 11, 2009

Subject:

TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUND ALLOCATIONS

FOR BICYCLE AND PEDESTRIAN FACILITIES FOR 2004-05 AND 2005-06

SUMMARY

The General Manager of the Department of Transportation (DOT) requests technical actions necessary to claim approximately \$2.2 million in Transportation Development Act Article 3 (TDA) funds from 2004-05 and \$2.3 million in TDA funds from 2005-06 that were previously placed on reserve with the Metropolitan Transportation Authority (Metro) in accordance with Metro guidelines for fund use. The actions in this report are necessary to appropriate TDA funds to the Local Transportation Fund (LTF). The purpose of the LTF, a special purpose fund included in the City budget, is to provide for a transportation program for bicycle and pedestrian facilities. All TDA funds are deposited into the LTF for expenditures for approved projects.

This report also includes the list of projects for which 2004-05 and 2005-06 funds are proposed to be used (see Attachment 1, Columns A and B). These qualifying projects were selected for funding based on their readiness to immediately enter stages of planning, construction or implementation. Recommendations also include the transfer of approximately \$1.5 million in funds within the LTF from various projects in earlier implementation stages to those requiring immediate funding (see Attachment 1, Columns C and D). This report also contains recommendations to provide for the allocation of the unappropriated fund balance (\$703,720) in the LTF for projects (see Attachment 1, Column E). Finally, funding is provided for the reimbursement of City costs associated with bicycle and pedestrian projects associated with DOT's Traffic Signals Program and the Smart Pedestrian Warning Devices Program (Attachment 2).

Background

In 1971, the TDA established a local transportation fund in each county of the State, funded by one-fourth of one percent of the State sales tax on gasoline. Article 3 of the TDA permits up to two percent of the annual amount to be made available to cities and counties to construct and maintain bicycle and pedestrian facilities. These funds are apportioned annually to local jurisdictions based

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on population. The bikeway and pedestrian projects funded with TDA Article 3 funds are typically those that do not qualify for funding through the Metro Call for Projects, often because they lack regional significance or are focused on maintaining or refurbishing existing bikeways, activities that are not typically funded through the Call.

Although TDA funds are typically made available on an annual basis, Metro guidelines specify that the City formally request only funds that will be expended or encumbered in a given fiscal year. Funds that do not fit this criterion are placed on reserve and held in an account by the County Auditor Controller until the City designates the specific projects that are ready for design or construction and for which the funds will be used. The current practice for the majority of cities in the county is to allow for two to three apportionments to accrue before funds are drawn down from Metro. A narrative description of the projects proposed to be funded with the 2004-05 and 2005-06 allocations appears in pages three through five of the attached DOT report. Currently, the City has three apportionments on reserve with Metro (2004-05 funds, 2005-06 funds and 2006-07 funds).

DOT will submit similar claims for projects using the 2006-07 allocations after funding is spent down from all previous allocations, consistent with Metro guidelines. A recommendation in this report allows DOT to place the City's 2007-08 allocation (\$2,766,775) on reserve with the Metro.

RECOMMENDATIONS

That the City Council, subject to the approval of the Mayor:

- Instruct the General Manager of the Department of Transportation (DOT) to submit the required Transportatino Development Act (TDA) Article 3 Local Claim Forms to the Los Angeles County Metropolitan Transportation Authority (Metro) to claim the TDA Article 3 bicycle and pedestrian apportionments for 2004-05 (\$2,234,877) and for 2005-06 (\$2,323,179);
- 2. Instruct the General Manager of DOT to submit the required TDA Local Claim Form to Metro to reserve \$2,766,775 in TDA Article 3 bicycle and pedestrian apportionments for 2007-08;
- 3. Authorize DOT to receive up to \$4,558,056 of TDA Article 3 funds for 2004-05 and 2005-06 apportionments from Metro for the implementation of bicycle and pedestrian facilities, deposit the funds into the Local Transportation Fund (LTF) No. 207, and appropriate these funds to various project accounts, in the amounts identified in Attachment 1, Columns A and B;
- 4. Authorize the Controller to transfer \$1,532,681.52 from inactive or completed projects to new project accounts within the LTF No. 207/94 and Transportation Grant Fund No. 655/94 in the amounts shown in Attachment 1, Columns C and D;
- 5. Authorize the Controller to appropriate \$703,719.55 of the unappropriated case revenue balance within the LTF No. 207/94, as shown in Attachment 1, Column E;

- 6. Authorize DOT to transfer funds from the LTF No. 207/94 to the various General Fund No. 100/94 accounts, in the amounts shown in Attachment 2; and
- 7. Authorize the City Administrative Officer to make technical corrections as necessary to transactions included in this report to implement Mayor and Council intentions.

FISCAL IMPACT STATEMENT

This report recommends actions related to the Transportation Development Act Article 3 (TDA) funds that are allocated to the City by the Los Angeles County Metropolitan Transportation Authority for the implementation of bicycle and pedestrian facilities. City costs are covered by the TDA funds and there is no General Fund impact. These recommendations are in compliance with the City's Financial Policies.

RPC:ALB:06090218

Attachments

City of Los Angeles Department of Transportation TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FUND ALLOCATION PLAN FOR FY 2004-05 AND FY 2005-06 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM

Madified by DOT on 01/07/09

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	runa	Account	Council	New Allocation	New Affocetion	ransfer old	I ransfer old	Allocation of
Project title (not ranked)	Number	Number	District	FY04-05 Funds	FY05-06 Funds	Funds FROM	Funds 10	Инерргор, Fund
1]SAN FERNANDO RD BIKE PATH	207-94	TBD*	2, 6, 7	\$109,634.00	\$134,521,00		\$74,681.52	
2 LOS ANGELES RIVER BIKEWAY	207-94	TBD*	1,4,13	\$150,000,00				
3 BIKE PATH MAINTENANCE/REFURBISHMENT	207-94	TBD*	CITYWIDE	\$100,000.00	\$300,000.00			
4 TAYLOR YARD BICYCLE BRIDGE	207-94	*080	1	\$100,000.00	\$100,000.00			\$75,727.02
5 BIKEWAYS PROGRAM	207-94	180,	CILYWIDE	\$250,000,00	\$400,000.00			
6 BIKE LANE PROGRAM CITYWIDE	207-94	IBD.	CITYWIDE	00 000			\$150,000.00	
/ DICTOLE COMMUNICATION OF THE PROPERTY OF THE	207 04	C C C	CITAMIDE	\$25,000,00	\$25,000.00			
9 BICYCI F PARKING	207-94	TBD*	CITYWIDE	\$40,000,00			\$325,000,00	
10 BICYCLE FACILITY SUPPORT MATERIAL	207-94	i GE	CITYWIDE	\$10,000.00	\$40,000.00	***************************************		
11 BIOYCLE STUDIES	207-94	i GEL	CITYWIDE		\$40,000,00			100.00000000000000000000000000000000000
12 BICYCLE PLAN	207-94	TBD	CITYWIDE		7,000,000		\$50,000.00	\$50,000.00
13 PROJECT TECH SUPPORT-BIKEWAYS	207-94	TBD*	CITYWIDE	\$7,500.00	\$7,500.00			\$5,000.00
14 SAFETY EDUCATION	207-94		CITYMDE	\$111,743.00	\$116,158.00			
15 I RAFFIC SIGNAL PROGRAM	207-94		CITYMEN	\$600,000.00			\$422 000 00	
	655-94	TBD*	1,4,13					\$572,992.53
18 SAN FERNANDO RD BIKE PATH PHASE 2 - MATCH	655-94	TBD*	6,7	\$481,000.00	\$475,000.00			
19 SAN FERNANDO RD BIKE PATH PHASE 3 - MATCH	655-94	TBD*	2,6	\$100,000,00				
20 EXPOSITION WEST BIKEWAY - MATCH	655-94	TBD*	5,10	\$100,000.00				
21 BIKE PATH BET. SEPULVEDA BASIN & WARNER CTR - MATCH	655-94	180*	5,6,12		2000		\$41,000.00	
22 LITILE TOKYO PED LINKAGES - MATCH	655-94	. IBD			\$250,000.00		000000	
24 KOREATOWN PED IMPROV OI YMPIC & NORMANDIE - MATCH	655-94	TBD	- 04				00.000,005.14	
25 WEST ADAMS STREETSCAPE IN HISTORIC DISTRICT - MATCH	655-94	180	1,8	page week and the second secon			\$67,500.00	
26 L.A. NEIGHBORHOOD INITIATIVE WEST ADAMS ENHANCEMENTS - MATCH	655-94	TBD	1,8				\$200,000.00	
27 98th STREET BIKE LANE PROJECT	207-94	C225	8			\$500,000,00		
28 SAN FERNANDO RD BIKE PATH PHASE III	207-94	X290	2,6			\$311,056,84	-	
29 VERMONT SIDEWALK WIDENING PROJ/TRA	207-94	Y298	8			\$174,713.55		
30 LA RIVER 10 FLETCHER TO BARCLAY 34 ILOS ANGELES BIVER BIREMAN	207-94	A205	14 13			\$14 276 85	***************************************	
32 PC'S SAN FERNANDO RD METROLINK BIKEPATH 1	207-94	W513	7			\$1.613,65		
33 SAN FERNANDO RD PH1 BIKE PATH	207-94	W289	7			. \$0.02		
34 HANSEN DAM BIKE PATH, PH2	207-94	W201	7			\$46,384.55		
35 HANSEN DAM BIKE PATH, PH2	207-94	A201	7			\$40,000.00		
36 ORANGE LINE BIKEWAY ENHANCE	207-94	A316	2,3,5,6,12			\$65,637.00		
38 HOLLYMOOD MEDIA DISTRICT PED	207.94	A317	13			\$20,000,00		
39 BIKE LANE PROGRAM-CITYWIDE	207-94	7203	CITYMIDE			\$25,717,67	- Marin Marin Marin	
40 BIKE LANE PROGRAM	207-94	A203	CITYWIDE			\$104,623.52		
41 PROJECT TECH SUPPORT-BIKEWAYS	207-94	A308	CITYMIDE			\$893,93		
42 PROJECT TECH SUPPORT-BIKEWAYS	207-94	Y308	CITYMIDE			\$632.85		
43 BIKEWAY MAPS	207-94	Y309	CITYWIDE			\$20,000.00		
44 WATCH THE KUAU CAMPAIGN	20/-94	Y311	CILYWIDE			\$3,418.49		
45 BIKE RACK & PARKING PROGRAM	207-94	V306	CITYMIDE			\$50,000,00		
47 BUREAU OF STREET LIGHTING	207-94	W184	CITYWIDE			\$40,000,00		
48 STREET SERVICES	207-94	C186	CITYWIDE			\$108,395.99		
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^{*} Account Number to be Designated by DOT Accounting

City of Los Angeles Department of Transportation TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS

				Genera	General Fund	
			Salary Account	Signal Supplies		Contraqetual
	Fund	Account	1090	Account 3360	Sign Account 3350	Services Account
Project Title (not ranked)	Number	Number				
TRAFFIC SIGNAL PROGRAM	207-94	TBD*	\$220,000.00	\$150,000.00	\$10,000.00	\$220,000.00
SMART PED WARNING DEVICES PROGRAM	207-94	TBD*	\$422,000.00			
SMART PED WARNING DEVICES PROGRAM	207-94	W297	\$19,058.87			
		TOTAL	\$661,058.87	\$150,000.00	\$10,000.00	\$220,000.00

^{*} Account Number to be Designated by DOT Accounting



FORM GEN. 160 (Rev. 6-80)

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE II PM 3: 35

CITY ADMINISTRATIVE OFFICER

Date:

February 9, 2009

To:

Honorable Antonio Villaraigosa, Mayor

Attention: June Lagmay, Legislative Coordinator

From:

Rita L. Robinson, General Manager

Department of Transportation

Subject:

TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUND

ALLOCATIONS FOR BICYCLE AND PEDESTRIAN FACILITIES FOR

FISCAL YEAR 2004-05 AND 2005-06 FUNDS

The Transportation Development Act (TDA) of 1971 established a local transportation fund in each county in California funded by a portion of the State sales tax on gasoline. Article 3 of the Act permits up to two percent of the annual amount received to be made available to cities and counties for implementing bicycle and pedestrian facilities. These funds are apportioned to local jurisdictions according to population. This report seeks approval to: submit necessary TDA Local Claim Forms to the Los Angeles County Metropolitan Transportation Authority (Metro) to claim Fiscal Year (FY) 2004-05 and FY 2005-06 funds (which have already been reserved); submit the necessary TDA Local Claim Form to Metro to reserve FY 2007-08 funds; transfer claimed funds from previous inactive bicycle/pedestrian projects to projects requiring funds; and appropriate and transfer funds to new bicycle and pedestrian projects.

RECOMMENDATIONS

That the City Council, subject to the approval of the Mayor:

- 1. INSTRUCT the General Manager, Department of Transportation (DOT), to submit the necessary Transportation Development Act (TDA) Article 3 Local Claim Forms to the Los Angeles County Metropolitan Transportation Authority (Metro) to claim the TDA Article 3 bicycle and pedestrian apportionments of \$2,234,877 for Fiscal Year (FY) 2004-05 and \$2,323,179 for FY 2005-06;
- 2. INSTRUCT the General Manager, Department of Transportation, to submit the necessary TDA Article 3 Local Claim Forms to Metro to reserve \$2,766,775 in TDA Article 3 bicycle and pedestrian apportionments for FY 2007-08;
- 3. AUTHORIZE the Department of Transportation to receive up to \$4,558,056 of TDA Article 3 funds for FY 2004-05 and FY 2005-06 apportionments from Metro for the implementation of bicycle and pedestrian facilities, deposit the funds into Local Transportation Fund No. 207, and appropriate such funds to various project accounts in the

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amounts listed in Attachment 1, Columns A and B, account numbers to be designated by the Department of Transportation;

- 4. TRANSFER \$ 1,532,681.52 from inactive or completed projects to new project accounts within Local Transportation Fund No. 207/94 and Transportation Grant Fund No. 655/94 in the amounts shown in Attachment 1, Columns C and D;
- 5. AUTHORIZE the Controller to appropriate \$703,719.55 of unappropriated cash revenue balance within Local Transportation Fund No. 207, as shown in Attachment 1, Column E; and
- 6. AUTHORIZE, the Department of Transportation (DOT) to transfer funds from the Local Transportation Fund No. 207 to various General Fund 100/94 accounts, in the amounts shown in Attachment 2.
- 7. AUTHORIZE the City Administrative Officer to make technical corrections as necessary to transactions included in this report to implement Mayor and Council intentions.

BACKGROUND

The Transportation Development Act (TDA) of 1971 established a local transportation fund in each county funded by a portion of the State sales tax on gasoline. Article 3 of the Act permits up to two percent of the annual amount State sales tax on gasoline received to be made available to cities and counties to construct bicycle and pedestrian facilities. These funds are apportioned to local jurisdictions according to population.

Funding for the City's bikeway and pedestrian projects generally comes from two sources: (1) TDA Article 3 funds apportioned to the City using a fixed population formula (currently more than \$2.5 million per year), and (2) Metro's Transportation Improvement Program (TIP) Call for Projects, which awards funds on a competitive basis for projects of regional significance. TDA Article 3 funds are used to pay for a variety of bikeway and pedestrian projects, including bikeway maintenance and refurbishment and are also used to supplement Metro grant funding for bicycle and pedestrian projects.

Metro's guidelines for TDA Article 3 funds require that cities place each of their annual apportionments on reserve with Metro and draw down specific apportionments within three years of Metro's allocation or face possible reversion of funds. The current practice for the majority of cities in the county is to allow two to three apportionments to accrue before funds are drawn down from Metro. For the City, three apportionments are currently on reserve with Metro: \$2,234, 877 for Fiscal Year (FY) 2004-05; \$2,323,179 for FY 05-06; and \$2,569,585 for FY 06-07. The City's FY 07-08 apportionment is \$2,766,775. This report, seeks authorization to claim the City's FY 04-05 and FY 05-06 apportionments and reserve its FY 07-08 apportionment. Authorization to claim the City's FY 06-07 apportionment of \$2,569,585 will be sought in a future report.

DISCUSSION

Attachment 1 is a table showing the bikeway and pedestrian related projects whose funding is affected by this report. The projects are not in rank order. A total of \$4,558,056 of TDA apportionments for FY 04-05 and FY 05-06 is available to the City. These funds are eligible for use in developing bicycle and pedestrian facilities, bicycle plans, supporting bikeways programs and maintaining Class 1 bikeway (bike path) facilities. Columns A and B show how the FY 04-05 and FY 05-06 funds, respectively, will be appropriated to individual projects or programs.

In addition to the appropriations of incoming FY 04-05 and FY 05-06 funds, the previously appropriated balance of \$1,532,681.52 needs to be transferred from inactive or completed projects to other projects which need funding immediately. Columns C and D in Attachment 1 show the amounts of transfers between projects. Column E shows how unappropriated cash revenue balance will be appropriated.

Proposition C Forecast and Transportation Grant Fund (TGF) Match Funding

On January 30, 2008 the City Council directed the City Administrative Officer (CAO), Chief Legislative Analyst (CLA), Department of Transportation (DOT) and Department of Public Works (DPW) to determine the best allocation of Proposition 1B in an effort to reduce the midterm deficits in the Proposition C 10-year forecast. DOT has identified TDA Article 3 funds as one of the solutions to the projected Proposition C deficit: in that TDA Article 3 funds could be used as the required local match portion of the grant funded bicycle and pedestrian projects which normally is funded with Proposition C funds. Consequently, this report seeks to transfer \$1,917,000 in TDA funds for a portion of the local match requirements for nine bicycle and pedestrian projects to corresponding accounts in the DOT's FY 2006-07 Transportation Grant Fund (TGF) (Council File No. 06-1282-S3). The bicycle and pedestrian projects and their respective match amounts to be transferred are reflected in Attachment 1, (Columns A, B, and D).

ADDITIONAL FUNDING FOR PROJECTS

1. San Fernando Road Bike Path Phase 1, 2 and 3

In an effort to implement a continuous bike path to connect regions of the East San Fernando Valley along the San Fernando Road corridor, DOT has identified a Metro owned right-of-way along the east side of San Fernando Road and has been working with Metro and Southern California Regional Rail Authority (SCRRA) which operates within this Metro owned right-of-way to implement the San Fernando Road Bike Path project.

When completed, the bike path will be over nine miles long and will be bounded by Roxford Street to the north and Cohasset Street (border of City of Burbank) to the south. Due to its size and length, the bike path project has been divided into three individual phases: Phase 1 (1.75 miles) is bounded by Roxford Street to the north and Hubbard Street (border of City of San Fernando) to the south; Phase 2 (2.75 miles) is bounded by Wolfskill Street (border of City of San Fernando) to the north and Branford Street to the south; Phase 3 (4.75 miles) is bounded by Branford Street to the north and Cohasset Street (border of City of Burbank) to the south.

The City of San Fernando has installed its own San Fernando Road Bike Path within its City limits from Hubbard Street to Wolfskill Street. In addition to the construction of the bike path, each phase of the project will also include fencing to separate the bike path from the existing Metrolink tracks, paved bus-landing areas, new lighting, landscaping and irrigation. The project will also require modification of the traffic and railroad signals at intersections along the bike path's alignment.

Construction of Phase 1 began in October of 2004 and was completed in October of 2006. Design of Phase 2 is complete and construction will begin in the fall of 2009. Construction funds for Phase 2 were secured through the Metro's 2000 Call for Projects. Design of Phase 3 is 50 percent complete and a portion of the construction funds for this phase were secured through the Metro's 2007 Call for Projects.

All phases of the bike path project require extensive traffic and railroad signal modifications at intersections along its alignment due to adoption of the new national safety standards by the State of California in May of 2004. Many of these safety requirements were not foreseen either by DOT or SCRRA when the original grant applications for Phases 1 and 2 were submitted to Metro in 1995 and 2000; therefore the cost of implementation of these standards were not included in the grant applications and were not funded. As a result, TDA funds have been used to pay for the cost increases for construction of Phase 1 and will be required for construction of Phase 2.

SCRRA handles railroad traffic signal modifications and improvements necessary for all phases of the bike path project. It has modified its existing railroad signal system for Phase 1 and has agreed to design, construct, modify and maintain its railroad signal system for Phase 2. SCRRA has also made necessary improvements to its existing track structure and rail crossings for Phase 1 and will do the same for the Phase 2. All of these necessary improvements will be part of the bike path project cost and will be paid for by the project funds.

SCRRA requires a Construction and Maintenance (C & M) Agreement with the City. The Agreement identifies the scope of the bike path project, the scope of the railroad work necessary as a result of the bike path project and the amount to be transferred from the City to SCRRA to pay for such work. A Construction and Maintenance Agreement was executed for the Phase 1 project shortly before its construction and a new Agreement is now being finalized for Phase 2 and will be executed before the start of construction in the fall of 2009. SCRRA's current cost estimate for its Phase 2 work is approximately \$3 million and DOT intends to spend up to \$1.5 million of its FY 04-05 and FY 05-06 TDA allocations on this phase and will seek the balance of any funds in a future request to the Mayor and Council.

2. Traffic Signals Program

The Traffic Signal Program for pedestrian safety will fund the design and construction of four traffic signals and one midblock traffic signal to improve pedestrian and child safety. Traffic signals will be installed at 36th Street and Broadway, 75th Street and Main Street, Huntington Drive and Lifur Avenue, and La Cienega Boulevard and Packard Street. A midblock traffic signal will be installed on Vernon Avenue between Central Avenue and Hooper Avenue. The \$600,000 allocation will be transferred to the appropriate General Fund accounts for the cost of salaries, materials, and contractual services associated with the design and construction of these traffic signals.

3. Smart Pedestrian Warning Devices Program

The Smart Pedestrian Warning Device Program for pedestrian safety will transfer \$441,058.87 of TDA funds to the General Fund Salary Account No. 1090 for the cost of salaries associated with the construction of the Smart Pedestrian Warning Devices.

4. Bike Path Maintenance Program

The Department of Recreation and Parks (RAP) currently provides maintenance of DOT's regionally significant bike paths; Los Angeles River, Arroyo Seco, Ballona Creek, Brown's Creek, and Will Rogers State Beach bike paths. Two other facilities (the Orange Line Bike Path and Chandler Boulevard Bike Path) are maintained by a DOT contractor. DOT intends to use \$100,000 in FY 04-05 funds and \$300,000 in FY 05-06 funds for the maintenance of these bike paths as well as DOT's new San Fernando Road Bike Path Phase 1.

FISCAL IMPACT

There is no fiscal impact on the City's General Fund. TDA Article 3 funds provide revenue to the City for implementation of a significant portion of the Department's bicycle and pedestrian facilities program. City fees and overhead fees incurred for these TDA funded projects are fully reimbursed by TDA funds.

COORDINATION

The Department has coordinated the projects and programs in this report with affected Council Offices, the Mayor's Office and City agencies including the Street Services, Recreation and Parks and Engineering. Department of Public Works and the Department of Recreation and Parks.

Attachments

TDA FY0405 FY0506.doc MM:mm

cc: Alex Baum, Bicycle Advisory Committee
Angela Berumen, CAO
Maria Souza Rountree, CLA
Selwyn Hollins, DOT
John Fisher, DOT
Haripal Vir, DOT
Guido Marucut, DOT