

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

Date: July 22, 2014

SUBJECT: ADOPT RESOLUTION NO. 14-53, ACCEPTING REGIONAL MEASURE 2 SAFE ROUTES TO TRANSIT GRANT FUNDS FOR THE CITY OF CONCORD'S BICYCLE AND PEDESTRIAN MASTER PLAN & SAFE ROUTES TO TRANSIT PROJECT, DISCUSS THE PROPOSED WORK PROGRAM, AND APPROVE THE FORMATION OF A LIMITED-TERM, PROJECT-SPECIFIC BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE (Grant Funding)

Report in Brief

The Council is requested to approve a resolution accepting Regional Measure 2 (RM-2) grant funding in the amount of \$200,000 to support the City of Concord's Bicycle and Pedestrian Master Plan and Safe Routes to Transit project. The Council's approval of the project and adoption of the attached resolution is required by the Metropolitan Transportation Commission (MTC) to comply with their procedures and criteria for the allocation of the grant. This RM-2 grant comprises approximately two-thirds of the total funding necessary for the completion of the project, with the remainder comprised by a Transportation Development (TDA) grant from the MTC in the amount of \$100,000 and matching City Measure J funds in the amount of \$20,000. The TDA grant was accepted by the City Council on February 5, 2013.

A comprehensive Citywide Bicycle and Pedestrian Master Plan will be used as a blueprint to develop a network that promotes safe alternative modes of transportation and helps position the City for future funding for bicycle projects and roadway improvements benefiting the entire community. Staff has proposed a work program for the preparation of the Bicycle and Pedestrian Master Plan for Council review and comment. As part of the work program, staff is recommending the creation of a limited-term, project-specific advisory committee to support the planning effort that would be made up of two Parks, Recreation & Open Space Commissioners, one Planning Commissioner and two at-large members.

Staff recommends that the City Council adopt Resolution No. 14-53, authorizing a resolution accepting Regional Measure 2 grant funds to support the City's Bicycle and Pedestrian Master Plan and Safe Routes to Transit project and approve the formation of the Advisory Committee, as recommended by staff. Additionally, staff recommends Council provide feedback on the work program.

Background

In December of 2013, the City Council approved a General Plan Amendment to incorporate complete streets policies into the General Plan. Complete streets involve planning and designing the City's transportation system to meet the needs of all users, including pedestrians, bicyclists and public transit patrons, as well as motorists. After the Council adopted complete streets policies into the General Plan, the next step was to build upon those efforts and implement a Bicycle and Pedestrian Master Plan.

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July 22, 2014

Page 2

In June of 2013, the MTC awarded the City of Concord a TDA grant in the amount of \$100,000 for a Citywide Bicycle and Pedestrian Master Plan. The City Council accepted the funding agreement for the MTC grant on February 5, 2013. This initial grant funding contributes to the Bicycle and Pedestrian Plan project, but additional funding was necessary in order to begin work on the plan.

An opportunity for additional funding soon became available in September of 2013 through the MTC's competitive Regional Measure 2 (RM-2) Safe Routes to Transit grant program. In order to improve the City's chances of being awarded the competitive grant funding with a higher score, the City's application proposed partnering with the Contra Costa County Health Services Department (CCHS) and Monument Impact organization to help lead a public outreach program for the formation of the plan. On March 4, 2014, the City was notified of the award of \$200,000 of grant funding for the Bicycle and Pedestrian Plan and Safe Routes to Transit project. The resolution before the Council today is required by the MTC in order for the City to accept and begin using the RM-2 grant funds for the project.

Proposed Work Program

Pursuant to the requirements of the grant funding, the project team will consist of a partnership between the City of Concord's Community and Economic Development Department (CED), Contra Costa County Health Services Department (CCHS), and Monument Impact, supplemented by a consultant to be selected by City staff and a representative from CCHS through an upcoming Request for Proposals (RFP) process. Staff from CCHS and Monument Impact will assist City staff and the selected consultant with policy development and the public outreach program for the project. The City of Concord is the primary responsible party for the project and the project lead.

Because the City's built environment has a direct impact on residents' health and quality of life, CCHS's Community Wellness and Prevention Program staff will contribute their expertise in public health, as well as provide policy and program recommendations for the draft plan. Monument Impact staff will be assisting the City with their expertise in public outreach and community organization, working with City staff to reach out to disadvantaged residents who might not normally be involved with the planning process, but tend to be the most likely to rely on the City's public transit, bicycle, and pedestrian infrastructure. The participation of this segment of the community in the planning process is a priority.

Project Goals: Funding for the Bicycle and Pedestrian Master Plan and Safe Routes to Transit project is limited and entirely reliant on grants, consequently the scope of the work program and the project's goals are defined by these grants. Specifically, the primary goals of the project will be as follows:

1. To improve bicycle and pedestrian access to the three BART stations that serve the City - North Concord/Martinez, Downtown Concord and Pleasant Hill/Contra Costa Centre- all of which are either located in or adjacent to the City of Concord;
2. To focus on improving connectivity between the regional trails network and downtown-- connecting the gaps in the existing infrastructure;
3. To guide the City's future investments in bicycle and pedestrian infrastructure and programs; and

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July 22, 2014

Page 3

4. To ensure safe and attractive access to the City's regional transit links, Downtown Concord, schools, and other activity centers.

To achieve these goals, the project will include preparation of an assessment of current conditions, identification of community needs and priorities, development of a transit access plan for bicyclists and pedestrians, and development of appropriate policies and priorities.

Data collection, traffic analysis, and field reconnaissance are important components of the Bicycle and Pedestrian Master Plan and Safe Routes to Transit project. The plan will be relying on a combination of resources, including prior traffic studies and analyses such as the study conducted for the Downtown Concord Specific Plan project, data provided by Contra Costa County Health Services staff, and recent bicycle and pedestrian field survey data collected for the plan by students from Cal Poly University at San Luis Obispo. These resources will be provided to the selected consultant to support the preparation of the plan.

Public Participation: The project will utilize an innovative public participation process to engage Concord's diverse communities and interests. One of the first implementation actions of the Bicycle and Pedestrian project, as identified in the grant application, will be the establishment of a limited-term, project-specific, Bicycle and Pedestrian Advisory Committee to help guide the plan's progress and identify community consensus (this Committee is discussed in more detail below). Secondly, the City of Concord and Contra Costa County Health Services, in partnership with Monument Impact, will be developing and implementing a series of workshops with residents to identify policies and built environment best practices they would like to see in the final plan. CCHS and Monument Impact will also be hosting a series of workshops with disadvantaged residents (targeting the Monument Community in Central Concord) to educate and introduce them to the planning process and encourage their greater participation. Finally, a series of focused workshops, led by the selected consultant, will also be held to formulate community consensus.

The public outreach process began in early June with the help of planning consultant James Rojas, who has been training and working with City and County staff on a series of preliminary planning and visioning workshops using his innovative and colorful "Place It!" system. These preliminary workshops were designed to encourage public awareness of the upcoming plan and to engage new audiences who wouldn't normally attend City meetings, to get everyone interested and participating in the planning process. During this time, Mr. Rojas facilitated seven events to introduce residents to the upcoming Bicycle and Pedestrian Plan, including a daylong workshop with local high school students at Mt. Diablo High School, a workshop at the Monument Crisis Center, three workshops with Spanish-speaking residents of the Monument Community, a training exercise with City and County staff, and a booth at the City's Farmer's Market that featured an interactive model of the City's downtown street grid. Mr. Rojas' creative system uses art to engage, educate, and empower residents to reimagine their city and streetscape, providing participants a fun and comfortable outlet to share their perspectives.

Public outreach efforts will continue later this summer once the RM-2 funding agreement has been approved and implemented. The grant application was crafted so that most of the public outreach effort would be guided by the staff from the three partnership agencies for this project: the City, County Environmental Health, and Monument Impact. Staff from these agencies are currently in the process of planning and organizing future public outreach events for the Bicycle and Pedestrian Plan. These will include hosting additional booths at Farmer's Markets and meeting with organizations such as the local health promoters in the Monument

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July 22, 2014

Page 4

community. The Council will continue to be updated on these events at future meetings and in their weekly newsletter.

Bicycle and Pedestrian Plan Limited-Term, Project Specific Advisory Committee: In order to move the project forward, staff seeks approval for the formation of a Bicycle and Pedestrian Plan Advisory Committee (Advisory Committee) to provide direction to staff and the consultant on the project and to help build consensus with policy development during the plan development process. The Advisory Committee members would serve for the duration of the project. The Committee is anticipated to meet once a month over a period of approximately twelve to fourteen months. In order to best reflect the interests of the community, staff recommends the Advisory Committee be comprised of five members. Specifically, staff recommends that membership on the Committee consist of two representatives from the City's Parks, Recreation, and Open Space Commission (PROSC), one member of the Planning Commission, and two at-large appointees. No selection of "alternate" members is recommended.

In order to facilitate the Council's selection of the at-large Advisory Committee members, staff recommends a list of interested persons be generated and provided to the Infrastructure and Franchise Council Committee for interviews. The Council Committee would make the recommendation for the two at-large members to the City Council. Both the PROSC and PC would select their own two representatives to serve on the Committee and the names would be provided to Council for inclusion on the Advisory Committee.

Should Council support this approach, staff would begin recruiting the at large members in August and would set-up interviews before the Council Committee in September. The list of recommended Advisory Committee members would go before the Council for appointment to the Committee in early October. The Bicycle and Pedestrian Plan Advisory Committee is not anticipated to begin meeting until after the selection of a consultant has been made in October.

Technical Advisory Committee: The project will be assisted by a Technical Advisory Committee (TAC) to be comprised primarily of City staff from the Planning, Transportation, Engineering, and Public Works Divisions of the Community and Economic Development Department and partners from CCHS and Monument Impact. Representatives from BART, the Contra Costa Transportation Authority (CCTA), and other pertinent agencies will be invited and consulted throughout the process. The purpose of the TAC will be to share information and resources, and to identify and resolve any technical challenges that may arise through the course of the plan.

Project Timeline: Once the Council approves the resolution to accept the RM-2 grant funding, a Request for Proposals (RFP) will be released to select a consultant who will assist with the preparation of the Bicycle and Pedestrian Master Plan and prepare the necessary environmental analysis. This process will commence in August with the selected consultant anticipated to be brought forward for Council approval in late September or early October. The following is an anticipated timeline for the project:

Third Quarter, 2014:	Initiation of the RFP process followed by the selection of a consultant.
Fourth Quarter, 2014:	Data and traffic analysis to be initiated by the selected consultant; public outreach program to continue throughout the first three quarters of 2015.
Fourth Quarter, 2015:	Estimated release of final draft and CEQA analysis for public comment.
First Quarter, 2016:	Estimated Planning Commission and Council consideration for plan adoption.

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July 22, 2014

Page 5

The project's RM-2 and TDA grant funds have a limited timeframe, necessitating the timely completion of the project. All of the previously accepted TDA grant funding must be incurred prior to June 30, 2016 and the RM-2 grant requires the project to be completed no later than February 28, 2017.

Fiscal Impact

The Bicycle and Pedestrian Plan project is dependent upon the receipt of the grant funds. The RM-2 funds will provide \$200,000 of the project's funding, with the remainder comprising the previously accepted and allocated \$100,000 in TDA grant funds and 20% City matching Measure J funds (\$20,000) for a total of \$320,000.

Public Contact

The City Council agenda was posted.

Recommendation for Action

Staff recommends the following actions:

1. Adoption of Resolution No. 14-53, authorizing a resolution accepting Regional Measure grant funds to support the City's Bicycle and Pedestrian Master Plan and Safe Routes to Transit project.
2. Approval of the formation of a project specific Bicycle and Pedestrian Plan Advisory Committee of five members that will guide the drafting of the Bicycle & Pedestrian Master Plan & Safe Routes to Transit Project. Specifically, the membership of this Committee would consist of the following: one member of the Planning Commission, two members of the Parks, Recreation & Open Space Commission, and two "at-large" members.
3. Council should provide feedback on the work program, as desired.

Prepared by: Andrew J. Mogensen, AICP
Interim Planning Manager
andrew.mogensen@cityofconcord.org

Reviewed by: Victoria Walker
Community & Economic Development Director
victoria.walker@cityofconcord.org



Valerie J. Barone
City Manager

valerie.barone@cityofconcord.org

**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution of Regional Measure 2 Project
Compliance for the City of Concord’s Bicycle and
Pedestrian Access to Transit Project**

Resolution No. 14-53

WHEREAS, the City Council of the City of Concord acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation; and

WHEREAS, the City Council recognizes that the planning and coordinated development of bicycle and pedestrian infrastructure provides benefits for local governments in the areas of cost savings; public health; and environmental sustainability; and

WHEREAS, SB 916 (Chapter 715, Statutes 2004), commonly referred as Regional Measure 2, identified projects eligible to receive funding under the Regional Traffic Relief Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 2 funds, pursuant to Streets and Highways Code Section 30914(c) and (d); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for Regional Measure 2 funding; and

WHEREAS, allocations to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 2 Policy and Procedures; and

WHEREAS, the City of Concord is an eligible sponsor of transportation project(s) in Regional Measure 2, Regional Traffic Relief Plan funds; and

WHEREAS, the City of Concord’s Bicycle and Pedestrian Access to Transit Plan (referred to herein as the “project”) is eligible for consideration in the Regional Traffic Relief Plan of Regional Measure 2, as identified in California Streets and Highways Code Section 30914(c) or (d); and

WHEREAS, the Regional Measure 2 allocation request, attached hereto in the Initial Project Report and incorporated herein as though set forth at length, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which the City of Concord is requesting that MTC allocate Regional

1 Measure 2 funds;

2 **NOW, THEREFORE, BE IT RESOLVED**, that the City of Concord, and its agents shall comply
3 with the provisions of the Metropolitan Transportation Commission’s Regional Measure 2 Policy
4 Guidance (MTC Resolution No. 3636); and be it further

5 **RESOLVED**, that the City of Concord certifies that the project is consistent with the Regional
6 Transportation Plan (RTP); and be it further

7 **RESOLVED**, that the year of funding for any design, right-of-way and/or construction phases has
8 taken into consideration the time necessary to obtain environmental clearance and permitting approval for
9 the project; and be it further

10 **RESOLVED**, that the Regional Measure 2 phase or segment is fully funded, and results in an
11 operable and useable segment; and be it further

12 **RESOLVED**, that the City of Concord approves the updated Initial Project Report, attached to this
13 resolution; and be it further

14 **RESOLVED**, that the City of Concord approves the cash flow plan, attached to this resolution;
15 and be it further

16 **RESOLVED**, that the City of Concord has reviewed the project needs and has adequate staffing
17 resources to deliver and complete the project within the schedule set forth in the updated Initial Project
18 Report, attached to this resolution; and, be it further

19 **RESOLVED**, that the City of Concord is an eligible sponsor of projects in the Regional Measure 2
20 Regional Traffic Relief Plan, Capital Program, in accordance with California Streets and Highways Code
21 30914(c); and be it further

22 **RESOLVED**, that the City of Concord is authorized to submit an application for Regional
23 Measure 2 funds for the Bicycle and Pedestrian Access to Transit project in accordance with California
24 Streets and Highways Code 30914(c); and be it further

25 **RESOLVED**, that the City of Concord shall conduct an environmental review in compliance with
26 the California Environmental Quality Act (Public Resources Code Section 21000 et seq.); and be it further

27 **RESOLVED**, that City of Concord certifies that the project and purpose for which RM2 funds are
28 being requested are in compliance with the requirements of the California Environmental Quality Act

1 (Public Resources Code Section 21000 et seq.), and the applicable regulations thereunder; and be it further

2 **RESOLVED**, that there is no legal impediment to the City of Concord making allocation requests
3 for Regional Measure 2 funds; and be it further

4 **RESOLVED**, that there is no pending or threatened litigation which might in any way adversely
5 affect the proposed project, or the ability of the City of Concord to deliver such project; and be it further

6 **RESOLVED**, that the City of Concord agrees to comply with the requirements of MTC's Transit
7 Coordination Implementation Plan as set forth in MTC Resolution 3866; and be it further

8 **RESOLVED**, that the City of Concord indemnifies and holds harmless MTC, its Commissioners,
9 representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses,
10 damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection
11 therewith), incurred by reason of any act or failure to act of the City of Concord, its officers, employees or
12 agents, or subcontractors or any of them in connection with its performance of services under this
13 allocation of RM2 funds. In addition to any other remedy authorized by law, so much of the funding due
14 under this allocation of RM2 funds as shall reasonably be considered necessary by MTC may be retained
15 until disposition has been made of any claim for damages, and be it further

16 **RESOLVED**, that the City of Concord shall, if any revenues or profits from any non-
17 governmental use of property (or project) that those revenues or profits shall be used exclusively for the
18 public transportation services for which the project was initially approved, either for capital improvements
19 or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to
20 a proportionate share equal to MTC's percentage participation in the projects(s); and be it further

21 **RESOLVED**, that assets purchased with RM2 funds including facilities and equipment shall be
22 used for the public transportation uses intended, and should said facilities and equipment cease to be
23 operated or maintained for their intended public transportation purposes for its useful life, that the
24 Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit
25 (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at
26 the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion
27 that Regional Measure 2 funds were originally used; and be it further

28 **RESOLVED**, that the City of Concord shall post on both ends of the construction site(s) at least

1 two signs visible to the public stating that the Project is funded with Regional Measure 2 Toll Revenues;
2 and be it further

3 **RESOLVED**, that the City of Concord authorizes its Principal Planner to execute and submit an
4 allocation request for environmental and planning efforts with MTC for Regional Measure 2 funds in the
5 amount of \$200,000 for the project, purposes and amounts included in the project application attached to
6 this resolution; and be it further

7 **RESOLVED**, that the Principal Planner is hereby delegated the authority to make non-substantive
8 changes or minor amendments to the IPR as he/she deems appropriate; and be it further

9 **RESOLVED**, that a copy of this resolution shall be transmitted to MTC in conjunction with the
10 filing of the City of Concord’s application referenced herein.

11 **PASSED AND ADOPTED** by the City Council of the City of Concord on July 22, 2014, by
12 the following vote:

13 **AYES:** Councilmembers -

14 **NOES:** Councilmembers -

15 **ABSTAIN:** Councilmembers -

16 **ABSENT:** Councilmembers –

17 **I HEREBY CERTIFY** that the foregoing Resolution No. 14-53 was duly and regularly
18 adopted at a regular meeting of the City Council of the City of Concord on July, 22, 2014.

21 _____
Mary Rae Lehman, CMC
City Clerk

22 **APPROVED AS TO FORM:**

24 _____
25 Mark S. Coon
City Attorney