

**Metro**Los Angeles County
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metro.net**PLANNING AND PROGRAMMING COMMITTEE
FEBRUARY 19, 2014****SUBJECT: ACTIVE TRANSPORTATION PROGRAM TRANSITION****ACTION: APPROVE POLICY****RECOMMENDATION**

Adopt the policy in Attachment A providing for the transition of Bicycle, Pedestrian, and Transportation Enhancement Activities projects from the Los Angeles County Transportation Improvement Program (TIP) Call for Projects to the new State Active Transportation Program (ATP).

ISSUE

Because of the changes brought about by the passage of Moving Ahead for Progress in the 21st Century (MAP-21) and the ATP, there is a shortfall of approximately \$90 million in the Metro TIP CFP from FY 2014 to FY 2019. The \$90 million gap includes funding for projects programmed in the Bicycle, Pedestrian, and TEA categories of the 2013 and prior Calls for Projects. If a solution is not found to close the gap, projects in any mode of the 2013 Call for Projects or future Calls could be at risk of being delayed, reduced, or deprogrammed funding.

This report presents a strategy to maximize the availability of State ATP funds to complement Metro-programmed funds for the purpose of maintaining our commitments to all adopted Call projects (including those from prior Calls) that do not yet have executed agreements. Attachment A contains the proposed policy and Attachment B lists the projects that are targeted for the application of the policy within the first cycle of the ATP.

DISCUSSION

On July 6, 2012 President Obama signed Moving Ahead for Progress in the Twenty-first Century Act (MAP-21) into law, authorizing two years of surface transportation funding. Under MAP-21 the Transportation Enhancement Activities (TEA) and several other federal programs were cancelled and replaced by the Transportation Alternatives (TA) program. The TA program provides less funding than the cancelled programs.

On September 26, 2013, Governor Brown signed the ATP bill. The ATP combines federal TA funds with other federal and state funds to form a streamlined \$359 million statewide first program cycle of Active Transportation funding in California. Attachment C shows the funding sources and amounts contained in this cycle. Metro has no direct programming role for ATP funds, as 50% of the funds are programmed through a statewide competition administered by the California Transportation Commission (CTC), 40% are programmed through a large Metropolitan Planning Organization competition administered by the Southern California Association of Governments (SCAG) for this area and other MPOs in other areas, and 10% are programmed to areas with less than 200,000 in population that are not in the large MPO areas.

In September, 2013 the Board adopted the 2013 Call for Projects subject to the following:

“Conditionally approve the 2013 Call ... subject to later review by the MTA Board of Directors once the impacts of the State and the Southern California Association of Governments (SCAG) project selection processes are finalized for the Active Transportation Program;”

Projects for which all Call for Projects-programmed funds have been received, allocated, or obligated are not affected. Attachment A contains a proposed policy for addressing the funding gap by requiring all eligible sponsors to apply for ATP funding. Also included in the policy is a transition program under which Metro would provide grant-writing assistance to the affected project sponsors.

Estimating the Funding Gap

Beginning with FY 2014, Metro is no longer the programming authority for TEA or TA funds. Fiscal Years 2014 through 2019 (six years of projects) are affected at this time, as effective FY 2014 the State is no longer allocating TEA funds and the last year of the new 2013 Call is FY 2019. The total amount of TEA funds for projects funded in prior Calls with funding for FY 2014 and beyond (which are programmed, but not yet allocated), combined with the total amount of TA funds which had been anticipated in the 2013 Call fund estimate, is approximately \$90 million.

Expediting Programming

At its January 29, 2014 meeting, the CTC approved the submittal of the 2014 ATP Draft Guidelines to the Joint Legislative Budget Committee. This was the last step in the CTC guidelines development process prior to the CTC's scheduled adoption of the guidelines on March 20 or 21, 2014. As a result of a SCAG led effort, the CTC required that a working group be convened to develop a procedure to advance the Federal Fiscal Year (FFY) 2014 MPO 40% share of federal TA funds (about \$14.5 million in the SCAG region, of which about half is expected to be available in Los Angeles County). The programming action for this limited portion of the funds could take place in Spring or Summer 2014. Federal TA program requirements for a competitive process could be

met by previous Call for Projects processes, as determined by the CTC led working group.

There are several purposes for advancing the FFY 2014 TA funds, including:

- 1) to allow for obligation of the funds within FFY 2014, enabling Metro, SCAG and the State to present a case in federal Reauthorization discussions that the TA funds are being put to good use in a timely manner rather than lying unused;
- 2) to allow worthy, ready-to-go projects to move forward and provide safety and mobility benefits without unnecessary delay; and
- 3) to prevent delay to the economic benefits associated with the development and implementation of the projects

The working group has developed a draft procedure which would allow SCAG to recommend up to \$14.493 million in TA projects for adoption by the CTC by August, 2014 at the latest. The Los Angeles County share would be \$7.883, based proportionately on population, consistent with ATP statute requiring geographical balance.

Attachment D shows a list of previously approved Call for Projects commitments which could be ready for obligation within FFY 2014. To aid our effort to reduce the \$90 million shortfall, we propose to present this list to SCAG for consideration in the proposed advancement process. The list contains more than \$7.883 million in case one or more projects is deemed ineligible by SCAG or the CTC or in case another county in the SCAG region does not nominate projects up to its full share, leaving additional funding available for other counties. The ranked list of projects was created by gathering information about readiness for construction and eligibility for TAP funds; and ranking the list by Call for Projects date (prior Calls for Projects first) and Call for Projects score.

DETERMINATION OF SAFETY IMPACT

This report will have no direct impact on the safety of our customers and employees.

FINANCIAL IMPACT

To mitigate the burden of re-applying for the ATP funds, \$175,000 in already budgeted resources has been identified for the ATP grant application assistance we propose to provide as part of the transition policy. The funds are included in the FY 2014 budget in 4420, Regional Programming, 450006, Active Transportation Program (ATP) Grant Assistance.

Since this is a multi-year contract, the cost center manager and the Chief Planning Officer will be accountable for budgeting in future years.

ALTERNATIVES CONSIDERED

The Board may consider the alternative of not requiring sponsors of some or all of the projects listed in Attachment B to re-apply for ATP funds. We do not recommend this alternative as the ATP is one of the only funding sources currently available to address the funding shortfall in the Call for Projects funding plan. Attachment B has been developed to include ready-to-go, cost effective projects which we feel will compete well in the statewide and regional competitive processes.

The Board may also consider the alternative of directing staff to conduct the grant-writing using existing staff. We do not recommend this alternative as the short time-frame would be impossible to meet from existing Metro staffing resources. Additionally, grant-writing is a specialized skill. We would like to take advantage of the experience and knowledge of firms that have extensive history of positive grant-writing successes.

NEXT STEPS

With the approval of the recommendation, staff will procure consultant services and work with project sponsors to meet the May 21, 2014 application submittal date.

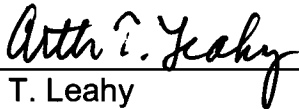
ATTACHMENTS

- A. Policy for Transitioning to State Active Transportation Program
- B. Projects Proposed for Grant Assistance for State Active Transportation Program
- C. Active Transportation Program Flow Chart
- D. Projects Proposed for Advancement using FFY 2014 TA Funds

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POLICY FOR TRANSITIONING TO STATE ACTIVE TRANSPORTATION PROGRAM

1) Project Sponsors Required to Apply for Active Transportation Program (ATP) Funds

The ATP is an important resource to address the gap in the Call for Projects funding plan resulting from the passage of MAP-21 in federal law and the ATP in state law. All sponsors of eligible projects with a grant from the 2013 and prior Calls that has an unallocated or unobligated balance in the Bicycle, Pedestrian, and Transportation Enhancement Activities modes are required to apply for ATP funds before being considered for Call for Projects funds.

- A. Metro will suspend execution of funding agreements with ATP eligible projects and require that such sponsors compete in both the statewide and Southern California Association of Governments ATP competitive processes.
- B. ATP funds secured by the successful competitors will be used to address the shortfall in the Metro Call for Projects funding plan. Metro's limited funds will be used for unsuccessful competitors.

2) Local Match for ATP Funds

Project sponsors must continue to provide a minimum 20% local match. Although the ATP Guidelines require a minimum 12% local match, Call for Projects related re-applications must specify the 8% or more overmatch for strategic reasons. Project sponsors may be able to recoup all or a portion of the overmatch if there are project savings. Project sponsors may use all or a portion of the overmatch, upon receiving a fully-executed Letter of No Prejudice from Metro, to advance the planning, design, or right-of-way activities for a project in order to ensure timely readiness for construction.

3) \$7.883 Million in FFY 2014 TA Funds Advanced from the ATP

SCAG may recommend up to \$14.493 million in FFY TA projects for adoption by the CTC by August, 2014 at the latest. Project sponsors would be expected to obtain federal obligation by September 30, 2014, the last day of FFY 2014. The Los Angeles County share would be \$7.883, based proportionately on population. Attachment D is the proposed list of projects. The list in Attachment D contains more than \$7.883 million in case one or more projects is deemed ineligible by SCAG or the CTC or in case another county in the SCAG region does not nominate projects up to its full share, leaving additional funding available. The list was created by:

- A. Identifying all projects claiming to be ready for construction by FY 2014 through:
 - i. A telephone survey of sponsors of ATP-eligible projects from 2011 and prior Calls for Projects; and
 - ii. A review of ATP-eligible applications from the 2013 Call for Projects
- B. Screening for eligibility for TA funds;
- C. Ranking by Call for Projects date (prior Calls for Projects first); and
- D. Secondary ranking by Call for Projects score.

4) Grant Assistance to Project Sponsors

Local jurisdictions devote considerable time and financial resources toward developing their Call applications. To assist the local jurisdictions with the process of reapplying for previously awarded projects, Metro will provide grant-writing assistance for each of approximately 49 affected projects listed on Attachment B as follows:

- A. A Metro-selected consultant will be available to draft the new ATP application. Metro staff would source the firm or firms from our Countywide Planning and Development Bench. The final application cost will be determined through the procurement process.
- B. Agencies must confirm in writing that they wish to take advantage of the assistance for the first cycle of the ATP. Project sponsors may elect to complete the ATP application on their own, but doing so does not waive the requirement that they apply prior to receiving any available alternate funds from Metro.
- C. Metro may provide a second round of assistance for the second cycle of the ATP. A new list of projects would be developed, including projects with later ready-to-go/programming dates than the projects listed on Attachment B. Metro may complete this work by exercising options on the ATP Grant Assistance contract.

5) Exceptions to the Policy

- A. Projects may be considered for exemption from the Policy if it is demonstrated that they would experience substantial delay. Requests for exemption must be submitted in writing and include documentation of delay.

Attachment B

Projects Identified for Grant Assistance for State Active Transportation Program (\$ in thousands)

Agency	Project ID	Project	Total	Balance	Cumulative Balance
ARCADIA	F3607	ARCADIA GOLD LINE STATION PEDESTRIAN LINKAGE PROJECT	1,546	1,546	1,546
BURBANK	F1502	SAN FERNANDO BIKEWAY	6,595	5,834	7,380
COVINA	F5501	COVINA BIKE NETWORK PHASE 2	827	827	8,207
LA CANADA FLINTRIDGE	F5522	FOOTHILL BLVD. LINK BIKEWAY & PEDESTRIAN GREENBELT PROJECT	1,366	1,366	9,573
LA CITY	F1520	IMPERIAL HWY BIKE LANES	1,506	1,506	11,079
LA CITY	F1524	SAN FERNANDO RD BIKE PATH, PHASE 3A (10S-049)	8,370	8,370	19,449
LA CITY	F3516	LA RIVER BIKE PATH, PHASE 4, RIVERSIDE - FOREST LAWN	1,827	1,827	21,276
LA CITY	F3635	W. 3RD ST PED IMPROVEMENTS, LA CIENEGA	486	486	21,762
LA CITY	F3643	BOYLE HEIGHTS CHAVEZ AV STREETScape/PED IMPROV.	2,788	2,788	24,550
LA CITY	F3656	CENTRAL AV PED/TRANSIT IMPROVEMENTS, SLAUSON-WASH.	1,697	1,697	26,247
LA CITY	F3657	BEVERLY BL PED/TRANSIT IMPRVMNTS, VERMONT-BEAUDRY	1,099	992	27,239
LA CITY	F5518	LA RIVER BIKE PATH, HEADWATERS, OWENSMOUTH-MASON	2,815	2,815	30,054
LA CITY	F5632	HOLLYWOOD/WESTERN PED & STREETScape IMPROVEMENTS	2,222	2,222	32,276
LA CITY	F5620	EXPO LINE PED IMPROVEMENTS, CRENSHAW-CITY LIMIT	2,311	2,311	34,587
LA CITY	F3510	FIGUEROA CORRIDOR BIKE STATION & ENHANCEMENTS	1,105	1,008	35,593
LA CITY	F1663	SUNSET JUNCTION TRANSIT PLAZA	1,337	1,108	36,701
LA CITY	F1662	SOLANO CANYON-ZANJA MADRE-CHINATOWN-BROADWAY BUS STOP IMPROV.	892	739	37,440
LA CITY	F1611	CESAR CHAVEZ TRANSIT CORRIDOR (110 FWY TO ALAMEDA)	1,692	1,409	38,849
LA CITY	F1535	BICYCLE WAYFINDING SIGNAGE PROGRAM	403	283	39,132
LA CITY	F1613	EXPO LINE STN STREETScape PROJECT-EAST CRENSHAW TO JEFFERSON	2,608	2,161	41,283
LA CITY	F7817	VERMONT AVE STORMWATER CAPTURE & GREENSTREET TRANSIT PROJECT	1,145	1,145	42,428
LA CITY	F3630	MAIN STREET PEDESTRIAN ENHANCEMENTS	827	827	43,255
LA CITY	F3650	WESTERN AVE EXPO LINE STATION LINKAGE PROJECT (SOUTH)	686	686	43,941
LA CITY	F3647	MENLO AVE/MLK VERMONT EXPO STATION PEDESTRIAN IMPROVEMENTS	1,687	1,687	45,628
LA CITY	F3651	EASTSIDE LIGHT RAIL PEDESTRIAN LINKAGES, PHASE II	1,075	1,075	46,703
LA CITY	F3515	SAN FERNANDO RD. BIKE PATH PH. IIIB CONSTRUCTION	8,571	8,571	55,274
LA CITY	F3646	ARTS DISTRICT/LITTLE TOKYO GOLD LINE STATION LINKAGES	889	783	56,057
LA COUNTY	F3521	WILLOWBROOK AREA BIKEWAY IMPROVEMENTS (10S-049)	457	457	56,514
LA COUNTY	F5515	FLORENCE BLUE LINE STATION BIKE ACCESS IMPROVEMENTS	695	695	57,209
LA COUNTY	F3519	NORTH COUNTY BIKEWAYS, NEAR SANTA CLARITA	1,274	820	58,029

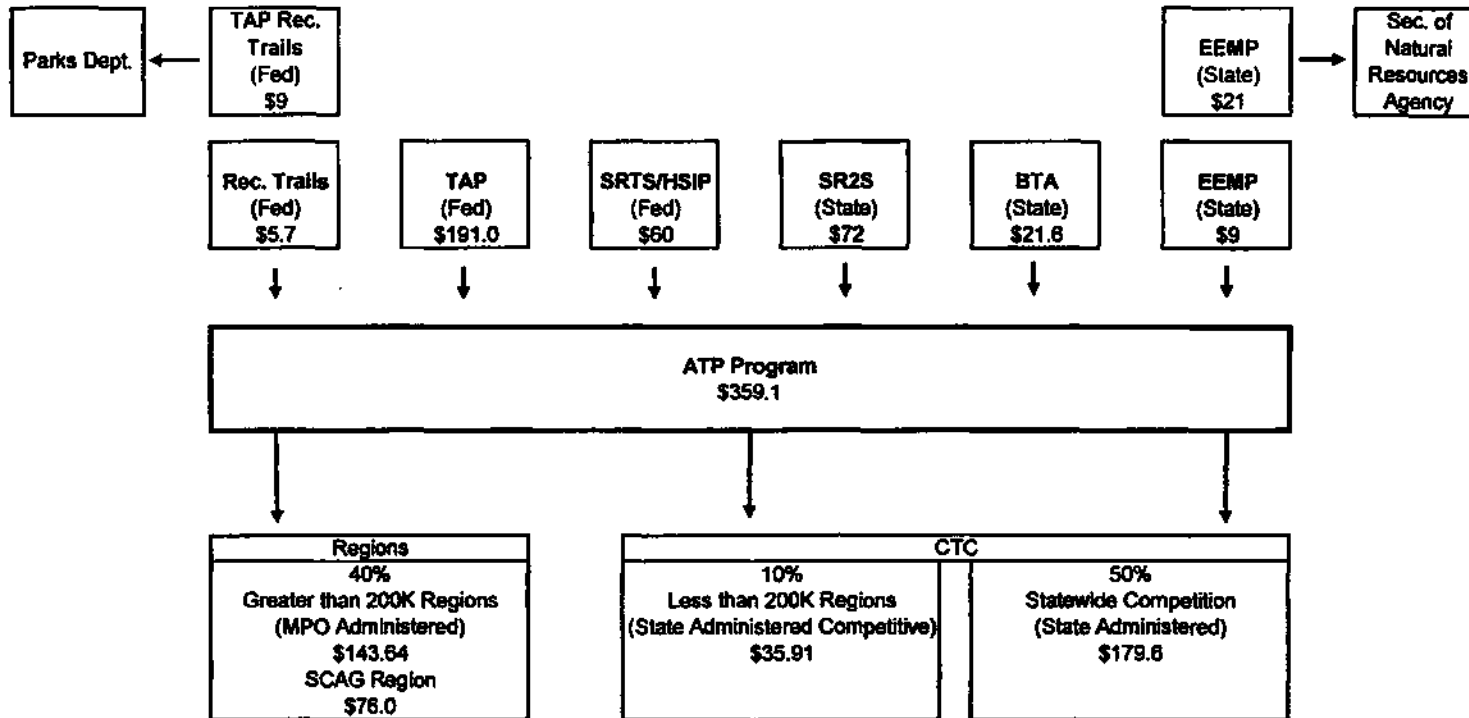
Attachment B

Projects Identified for Grant Assistance for State Active Transportation Program (\$ in thousands)

Agency	Project ID	Project	Total	Balance	Cumulative Balance
LA COUNTY	F1511	EASTSIDE LIGHT RAIL BIKE INTERFACE PROJECT	941	941	58,970
LA COUNTY	8150	SAN JOSE CREEK BICYCLE TRAIL, PHASE 2	1,243	1,243	80,213
LA COUNTY	F5514	VERMONT AV BIKE LANE, MANCHESTER-EL SEGUNDO	2,671	2,671	82,884
LA COUNTY	F3628	WILLOWBROOK AREA PEDESTRIAN IMPROVEMENTS (10S-049)	3,439	2,889	65,773
LONG BEACH	F7615	MARKET STREET PEDESTRIAN AND STREETScape ENHANCEMENTS	3,234	3,234	69,007
PASADENA	F3603	EAST COLORADO BOULEVARD PEDESTRIAN IMPROVEMENTS PHASE (2)	603	603	69,610
PASADENA	F3602	NORTH FAIR OAKS AV PEDESTRIAN IMPROVEMENTS	624	624	70,234
PASADENA	F3522	CORDOVA ST BIKE & PED IMPRVMENTS, ARROYO PWKY - HILL	2,881	2,881	73,115
RANCHO PALOS VERDES	F1506	BIKE COMPATIBLE RDWY SAFETY AND LINKAGE ON PALOS VERDES DR	630	574	73,689
RANCHO PALOS VERDES	F1605	PEDESTRIAN SAFE BUS STOP LINKAGE	1,117	975	74,664
REDONDO BEACH	F3502	REDONDO BEACH BICYCLE TRANSPORTATION PLAN IMPLEMENTATION	1,559	1,559	76,223
SAN FERNANDO	F1505	SAN FERNANDO PACOIMA WASH BIKE PATH	1,513	1,513	77,736
SAN GABRIEL	F5808	SAN GABRIEL BLVD STREETScape, FAIRVIEW-GRAND	583	583	78,319
SAN GABRIEL	F1804	LAS TUNAS DRIVE STREETScape ENHANCEMENTS	641	641	78,960
SANTA MONICA	F3612	COLORADO PEDESTRIAN PROMENADE: LRT STATION TO PIER/BEACH	3,284	3,284	82,244
TEMPLE CITY	F7812	LAS TUNAS DRIVE COMPLETE STREETS IMPROVEMENT PROJECT	1,277	1,277	83,521
TEMPLE CITY	F7526	LAS TUNAS DRIVE BICYCLE IMPROVEMENTS	2,722	2,722	86,243
TEMPLE CITY	F7618	LAS TUNAS DR IMPROVEMENTS AND SAFETY ENHANCEMENT PROJECT-PED	2,910	2,910	89,153
TORRANCE	F3624	DOWNTOWN TORRANCE PEDESTRIAN IMPROVEMENT PROJECT	793	793	89,946

Active Transportation Program

First Cycle - FY 14 - FY 16 (\$ in Millions)



TAP - Federal Transportation Alternatives Program
 HSIP - Highway Safety Improvement Program
 SR2S - State Safe Routes to School Program
 EEMP - State Environmental Enhancement and Mitigation Program
 BTA - State Bicycle Transportation Account
 SHA - State Highway Account
 ATP - Active Transportation Program

Attachment D**Projects Proposed for Advancement using FFY 2014 TA Funds**
(\$ in thousands)

Agency	Project ID	Project	Total	Balance	Cumulative Balance
RANCHO PALOS VERDES	F1506	BIKE COMPATIBLE RDWY SAFETY AND LINKAGE ON PALOS VERDES DR	630	574	574
SANTA MONICA	F3612	COLORADO PEDESTRIAN PROMENADE: LRT STATION TO PIER/BEACH	3,284	3,284	3,858
ARCADIA	F3607	ARCADIA GOLD LINE STATION PEDESTRIAN LINKAGE PROJECT	1,546	1,546	5,404
RANCHO PALOS VERDES	F1605	PEDESTRIAN SAFE BUS STOP LINKAGE	1,117	975	6,379
REDONDO BEACH	F3502	REDONDO BEACH BICYCLE TRANSPORTATION PLAN IMPLEMENTATION	1,559	1,559	7,938
LA CITY	F1520	IMPERIAL HWY BIKE LANES	1,506	1,506	9,444

