



## Memorandum

### AGENDA ITEM 5

**DATE:** October 20, 2023

**TO:** Transportation Authority Board

**FROM:** Cynthia Fong - Deputy Director for Finance and Administration

**SUBJECT:** 11/14/23 Board Meeting: Authorize the Executive Director to Execute Master Agreements, Program Supplemental Agreements, Cooperative Agreements, Fund Transfer Agreements and Any Amendments Thereto with the California Department of Transportation for Receipt of Federal Funds for Design of the Yerba Buena Island Multi-Use Pathway in an Amount Up to \$3,000,000; and State Funds for Planning, Programming, and Monitoring in the Amount of \$46,000

#### **RECOMMENDATION** ☐ Information ☒ Action

Authorize the Executive Director to execute master agreements, program supplemental agreements, cooperative agreements, fund transfer agreements and any amendments thereto with the California Department of Transportation (Caltrans) for receipt of federal and state funds for the following projects:

- Yerba Buena Island (YBI) Multi-Use Pathway Design - up to \$3,000,000 in federal One Bay Area Grant (OBAG) funds
- Planning, Programming, and Monitoring activities - \$46,000 in State Transportation Improvement Program (STIP) funds

#### **SUMMARY**

We are seeking authorization for the Executive Director to execute funding agreements between the Transportation Authority and Caltrans for receipt of federal and state funds for two grants that we anticipate receiving this year: the YBI Multi-Use Pathway OBAG 3 and Planning, Programming and Monitoring activities state grant. Guidelines established by Caltrans require that certain funding agreements be signed by the project sponsor and returned to Caltrans. For some grants, project sponsors are also required to adopt a Board resolution. For instance, on October 7, 2023, we received the Fiscal Year (FY) 2023/24 Planning, Programming and

- ☐ Fund Allocation
- ☐ Fund Programming
- ☐ Policy/Legislation
- ☐ Plan/Study
- ☐ Capital Project Oversight/Delivery
- ☐ Budget/Finance
- ☒ Contract/Agreement
- ☐ Other:



<p>Monitoring Agreement from Caltrans. Caltrans requires us to return the signed agreement with an approved Board resolution to execute the grant agreement. This resolution must also identify the person(s) authorized to execute these funding agreements and the title of the grant. Caltrans may disencumber and/or de-obligate funds without a resolution. The Board has previously adopted similar resolutions with the last one being Resolution 22-56 in July 2022. In addition, we anticipate an award notification from Caltrans for the YBI Multi-Use Pathway OBAG 3 in early 2024, which will also require an approved Board resolution to execute the grant agreement. Under a separate item on this agenda, we are proposing a package of fund exchanges that, if approved, would reduce the OBAG 3 funding on the Multi-Use Pathway design to \$2.25 million, enabling us to add \$750,000 in Prop K funds to complete a portion of the YBI Multi-use Pathway design (known as Segment 2) within the Hillcrest Road Improvement Project limits.</p>	
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## **BACKGROUND**

We regularly receive federal and state transportation funds under ongoing grant programs and periodically receive congressional earmarks. These grant funds are typically administered by Caltrans, which requires that various types of funding agreements be executed between the project sponsor and Caltrans before the project sponsor can claim (e.g., encumber, seek reimbursement) the grant funds. Caltrans also requires an updated Board resolution identifying the person(s) authorized to execute these funding agreements and the title of the grant.

## **DISCUSSION**

Brief descriptions of the two projects for which we are recommending approval of the subject resolution are provided below along with information on the relevant federal and state grants.

**YBI Multi-Use Pathway:** The YBI Multi-use Pathway Project will develop a safe and accessible Class I multi-use path connection between the current YBI Bike Landing/Vista Point and the intersection of Treasure Island Road at Macalla Road, travelling along Treasure Island and Hillcrest Roads. These roads lack modern safety features such as bike lanes. The project will improve safety and connectivity for bicyclists and pedestrians and provide convenient access for residents and visitors between Treasure Island and Yerba Buena Island. It will also support the ongoing and planned growth on both islands. The project will coordinate with the West Side



Bridges Seismic Retrofit Project and Hillcrest Road Improvement Project. The YBI Multi-use Pathway project is part of the Islands Redevelopment Project, which will introduce a substantial number of residences and visitors to the islands, increasing the need for active transportation facilities. Project implementation would provide residents and visitors of the islands expanded bicycle and pedestrian facility connectivity, including to the existing Class I multi-use path along the eastern span of the San Francisco-Oakland Bay Bridge to West Oakland, and the Treasure Island Ferry Terminal which provides service to Downtown San Francisco.

The project team is currently in the environmental approval phase. The project received California Environmental Quality Act (CEQA) categorical exemption approval in March 2023 and is expected to receive National Environmental Policy Act (NEPA) categorical exclusion in December 2023. The project team anticipates completing the environmental phase and starting design in 2024. The current funding plan includes a \$3,000,000 federal OBAG 3 grant along with a \$3,800,000 regional Active Transportation Program (ATP) grant for design. The OBAG 3 grant has been programmed but requires NEPA approval before it can be allocated. Under a separate item on this agenda, we are proposing a package of fund exchanges that, if approved, would reduce the OBAG 3 funding on YBI Multi-Use Pathway design to \$2.25 million, enabling us to add \$750,000 in Prop K funds (through a fund exchange) to complete a portion of the YBI Multi-use Pathway design (known as Segment 2) within the Hillcrest Road Improvement Project limits. Doing so will enable us to incorporate certain accommodations (e.g., a wider shoulder, taller retaining wall in the correct location) for the future Multi-Use Pathway into the construction of the Hillcrest Road Improvement Project, resulting in cost savings and construction efficiencies.

The ATP grant for the Multi-Use Pathway will also require NEPA approval, followed by California Transportation Commission allocation in March 2024. The Board previously approved the authorization to execute a funding agreement for the regional ATP grant through Resolution 21-52. The project team anticipates design will take approximately two years to complete.

**Planning, Programming and Monitoring:** Guidelines established for the use of State Transportation Improvement Program (STIP) funds by the California Transportation Commission (CTC) allow us to program up to 5% of STIP county share funds for planning, programming, and monitoring activities. These activities are captured under our Congestion Management Agency function and are related to project planning, development, and oversight of projects including timely use of



funds and compliance with State law and CTC guidelines. As noted in the memo summary, on October 7, 2023, we received the FY 2023/24 Planning, Programming and Monitoring Agreement in the amount of \$46,000. Caltrans requires us to adopt a resolution to execute the grant agreement to avoid losing the funds. We have already received approval to seek reimbursement of these grant funds retroactively to July 1, 2023, pending approval of the subject resolution and execution of the grant agreement.

### **FINANCIAL IMPACT**

Approval of the recommended action would facilitate compliance with Caltrans funding agreement requirements (avoiding loss of grant revenues) and enable the Transportation Authority to seek reimbursement of federal and state grant funds administered by Caltrans for the YBI Multi-Use Pathway and Planning, Programming, and Monitoring activities. Anticipated revenues for the Planning, Programming, and Monitoring grant are included in the adopted FY 2023/24 Budget and Work Program and the first year of anticipated revenues for the YBI Multi-Use Pathway will be incorporated into the FY 2023/24 mid-year budget amendment. In addition, we will bring procurements to be funded by these grants, where applicable, to the Board for approval as part of future agenda items.

### **CAC POSITION**

The Community Advisory Committee will consider this item at its October 25, 2023 meeting.