



City of Chula Vista

Staff Report

File#: 15-0188, Item#: 9.

CONSIDERATION OF AN AMENDMENT TO CHULA VISTA'S PORTION OF THE 2014 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

RESOLUTION NO. 2015-113 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING THE AMENDMENT OF THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2014/2015 THROUGH 2018/2019 FOR INCLUSION IN THE REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM, REDUCING THE STM383 CIP BUDGET BY \$200,000 IN TRANSNET FUNDS AND APPROPRIATING THE EQUIVALENT AMOUNT TO STM361 (\$125,000) AND STL394 (\$75,000), AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS (4/5 VOTE REQUIRED)

RECOMMENDED ACTION

Council conduct the public hearing and adopt the resolution.

SUMMARY

The San Diego Association of Governments (SANDAG) is accepting submittal of requests for the fifth amendment to the 2014 Regional Transportation Improvement Program (RTIP) beginning April 24, 2015. Signed resolutions must be submitted to SANDAG by June 5, 2015. Staff recommends several adjustments to the TransNet allocations adopted as part of the 2014 RTIP and as part of the last amendment in order to accommodate projects that need additional funding.

ENVIRONMENTAL REVIEW

For Actions Related to CHV30 (STM 361):

The Director of Development Services has reviewed the proposed activity, consisting of approval to submit a funding request for various TransNet Projects to SANDAG, for compliance with the California Environmental Quality Act (CEQA) and has determined that there is no possibility that the activity may have significant effect on the environment; therefore, pursuant to Section 15061 (b) (3) (General Rule) of the State CEQA Guidelines the activity is not subject to CEQA. Although environmental review is not necessary at this time, additional environmental review will be required as applicable prior to the approval of any future project specific development entitlements including, but not limited to, site development plans, building permits, land development permits, and conditional use permits.

For Actions Related to Other Projects:

The Director of Development Services has reviewed the proposed activity for compliance with the

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California Environmental Quality Act (CEQA) and has determined that each project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. Thus, no further environmental review is necessary.

BOARD/COMMISSION RECOMMENDATION

Not applicable.

DISCUSSION

Background

On May 6, 2014, Council adopted the Chula Vista portion of the 2014 RTIP through adoption of Resolution 2014-066. SANDAG provided the member agencies with the most recent version of the financial projection for Fiscal Years 2014-15 through 2018-19. This projection was used to plan the City's TransNet allocation program for the next five years. The 2014 RTIP was approved by the SANDAG Board of Directors on September 26, 2014.

The latest revision to the 2014 was the third amendment, which amended the RTIP to include funding for the proposed Fiscal Year 2015-16 Capital Improvement Program (CIP) projects. This amendment was approved by the SANDAG Board on April 24, 2015. Due to Council conflicts, it was split into three separate resolutions. Resolutions 15-058 and 15-059 (Attachment 1) were adopted on March 3, 2015 and became part of the Third Amendment. The third resolution included the appropriation of \$150,000 into the Third Avenue Streetscape Project, Phase III (STL406) during Fiscal Year 2014-15, as well as programming an additional \$150,000 during Fiscal Year 2015-16. A 4/5ths vote was required for the Fiscal Year 2014-15 appropriation, and this vote was obtained on April 14, 2015 by Resolution 15-068 (Attachment 2). This Council action will become part of the June 2015 RTIP Amendment. The estimated annual allocations reflected the TransNet revenue forecasts calculated as of January 30, 2015.

SANDAG Letter on TransNet LSR

On March 5, 2015, SANDAG sent a letter to all member agencies that were determined to have unspent TransNet Local Streets and Roads (LSR) on hand as a result of the Independent Taxpayer Oversight Committee's (ITOC) audit for the Fiscal Year ending June 30, 2014. TransNet LSR funds are those funds that were allocated to agencies prior to the end of the original TransNet legislation (June 30, 2008). SANDAG staff requested that all agencies spend or reallocate TransNet LSR funds to active projects prior to June 30, 2015.

Staff sent a response to SANDAG dated April 23, 2015 (Attachment 3). Some of the project issues did not require any fund transfers between either MPO ID numbers or projects. Two administrative transfers are required. First, there is a remaining balance of \$167,854.30 in TF358 (CHV41). We propose to transfer these funds to STM381: South Broadway Improvements (CHV54) since it is currently in deficit. This transfer is strictly administrative.

Secondly, the City currently has a remaining allocation of \$472,598 in DR180 (CHV50), which included a number of storm drain repairs. It is anticipated that this project will be closed out by the end of the fiscal year, at which point the remaining funds will be reallocated to other storm drain projects in CHV50 (DR193 and/or DR196). This transfer is strictly administrative.

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Since all of the TransNet LSR Funds have been expended for the following projects, they will be moved as follows:

- TF345 (CHV33): move to Maintenance
- TF354 (CHV43): move to LSI-CR
- TF356 (CHV44): move to LSI-CR

Maintenance Projects**CHV35: Harborside Elementary Pedestrian Improvements (TF366)**

SANDAG'S records indicate that there is a remaining allocation of \$26,606 in completed project CHV46 (Harborside Elementary Pedestrian Improvements - TF368). Staff proposes to reallocate these funds to on-going project CHV35. This remaining balance has already been appropriated into CHV35 by City Council, but not yet reallocated into the project by SANDAG.(TF366). Since this action does not amend the City's budget in any project and only changes SANDAG records with respect to the referenced projects, this reallocation is considered a strictly administrative action by SANDAG. Throughout the balance of this report, similar reallocations will be described as "strictly administrative."

Unallocated Carryover

In the March 3, 2015 RTIP Amendment, \$18,295.00 from closed projects (both Maintenance and Congestion Relief) were returned to unallocated carryover. SANDAG has stipulated that these funds must be allocated to a specific project by June 30, 2015. Staff proposes to allocate these funds to CHV39 (TF350 - Traffic Signal Systems Optimization), which is a Congestion Relief project. Since this action does not amend the City's budget in any project, this reallocation is strictly administrative.

Congestion Relief Projects**CHV30: Multi-Modal Corridor Improvement Study (STM361)**

This is an on-going project which has received both local and Federal funding. The most recent project includes the preparation of a project report and environmental document for a rail/ highway grade separation project in conjunction with SANDAG. The City's original funding request for this project was \$2,100,000, with a 20 percent local match. The final Federal appropriation was estimated at \$1,987,200, but the actual funding amount was \$1,943,784.43. The City originally entered into a Memorandum of Understanding (MOU) with SANDAG on this project on June 20, 2013. Staff will return to Council with Amendment 2 to the MOU with SANDAG at a future date. This would include the payment of \$982,000 to SANDAG for the City's portion of the work. The City currently has approximately \$923,742 available for this project. In order to make up the difference and pay for City staff costs, staff requests an additional \$125,000 for this project. This amount is being transferred from STM383 (CHV48).

CHV58: Moss Street Improvements between Third Ave. and Fourth Ave. (STL394)

This is the City's program for the construction of sidewalk improvements. The Moss Street Improvement project is currently in construction. Approximately \$75,000 is needed in order to complete the project. This amount is being transferred from STM383 (CHV48).

CHV60: Traffic Signal at Industrial/ Moss and Naples Street (TF383)

SANDAG's records indicate that there is a remaining allocation of \$225 under a completed project in CHV60 (Traffic Signal Installation at Fourth Avenue and G Street - TF373). Staff proposes to reallocate these funds to an on-going project in CHV60 (TF383). Since this action does not amend the City's budget in any project, this reallocation is strictly

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administrative.

CHV70: Bike Lanes on Broadway Feasibility Study (STM384)

SANDAG's records indicate that there is a remaining allocation of \$15,000 under a completed project in CHV54 (Naples Street Sidewalk Improvements - STM364). Staff proposes to reallocate these funds to an on-going project in CHV70 (STM384). Since this action does not amend the City's budget in any project, this reallocation is strictly administrative.

CHV73/CHV-NEW: Third Avenue Streetscape Phase III (STL406)

As previously mentioned, Resolution 15-0108 has already authorized the appropriation of \$150,000 for Fiscal Year 2014-15 and the allocation of another \$150,000 in Fiscal Year 2015-16. The City originally included the planning/ design funds for Phase III of the Third Avenue project under the same MPO ID as the design and construction funds for Phase II of Third Avenue. SANDAG staff requested that the City create a separate MPO ID number for Phase III in order that the Smart Growth funds for Phase II could be kept separate. This change is strictly administrative and does not change the funds allocated to either project.

Attachment 4 provides a summary of all the fund transfers/ reallocations requested by this agenda item.

DECISION-MAKER CONFLICT

For CHV50: Pursuant to California Code of Regulations Section 18704.2 (b) (2), there is no material effect on any economic interests in real property as the "decision solely concerns repairs, replacement, or maintenance of existing streets, water, sewer, storm drainage or similar facilities." Staff is not independently aware, nor has staff been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

For CHV73: Staff has determined that the action contemplated by this item is ministerial, secretarial, manual, or clerical in nature and, as such, does not require the City Council members to make or participate in making a governmental decision, pursuant to California Code of Regulations Title 2, section 18702.4(a). Consequently, this item does not present a conflict under the Political Reform Act (Cal. Gov't Code 87100, et seq.) Staff is not independently aware, nor has staff been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

For other projects: Staff has reviewed the property holdings of the City Council and has found no property holdings within 500 feet of the boundaries of the properties which are the subjects of this action. Staff is not independently aware, nor has staff been informed by any City Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The TransNet Local Street Improvement Program supports the Strong and Secure Neighborhood strategy in the City's Strategic Plan. It provides funding for the maintenance and rehabilitation of public infrastructure, which is a key City function in providing a safe and efficient transportation system for residents, businesses and visitors.

CURRENT YEAR FISCAL IMPACT

Approval of this resolution will result in the transfer of \$200,000 from STM383 to STM361 (\$125,000) and STL394 (\$75,000) in TransNet funds. There are sufficient funds in the indicated projects to perform these appropriations.

ONGOING FISCAL IMPACT

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Upon completion of the project, the improvements will require only routine City street maintenance. Since the improvements are anticipated to increase the life of the streets included, there should be a positive long term fiscal impact.

Attachments:

1. Resolutions 15-058 and 15-059
2. Resolution 15-068
3. Letter dated April 23, 2015 to Jose Nuncio, SANDAG
4. Project Fund Transfers/ Reallocations

Staff contact: Elizabeth Chopp, Senior Civil Engineer