Approved 4-16-09, Original resolution following

Memorandum

TAB 45

To: Chairman and Commissioners **Date: April 15-16, 2009**

From: Andre Boutros
Interim Executive Director

File No: 4.7
Action

Ref: PROPOSITION 1B STATE-LOCAL PARTNERSHIP PROGRAM ADOPTION RESOLUTION SLP1B-P-0809-01

RECOMMENDATION:

Staff recommends the California Transportation Commission (Commission) adopt Cycle 1 of the Proposition 1B State-Local Partnership Program (SLPP), in accordance with the attached Resolution SLP1B-P-0809-01 and staff recommendations for the program.

ISSUE:

Under the Commission's SLPP Guidelines, adopted on December 11, 2008, project applications were due February 17, 2009, with adoption of the initial program scheduled for April 2009.

BACKGROUND:

On November 7, 2006, the voters approved Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Proposition 1B authorized $1 billion for the State-Local Partnership Program, to be available, upon appropriation by the Legislature, for allocation by the Commission over a five-year period to eligible transportation projects nominated by eligible transportation agencies. The program is split into two sub-programs – a formula program to match local sales tax, property tax and/or bridge tolls (95%) and a competitive program to match local uniform developer fees (5%). The Legislature enacted implementing legislation (AB 268) in 2008 to add Article 11 (commencing with Section 8879.66) to Chapter 12.491 of Division 1 of Title 2 of the Government Code, and appropriated $200 million in Fiscal Year (FY) 2008-09 for the first cycle of this program. Of this appropriation, $4,000,000 is available for administrative expenses, and $196,000,000 is available for programming. The Commission is required by statute to adopt a program by April 2009, and allocations will be made when bond funds are available.

The Commission will, per Section 8879.72 of the Government Code, include in the annual program of projects each project nominated by an eligible applicant for a formula funding share provided that the Commission determines that the nomination meets the requirements of statute and that the project has a commitment of the required match and any supplementary funding needed for full funding. Eighteen projects were nominated for funding in FY 2008-09 under the formula share. Two of those were withdrawn due to the need to award contracts before funds will be available for allocation, leaving 16 projects totaling $94,148,000 to be programmed. One project, BART Warm Springs Extension, is being

funded by four agencies pooling their formula shares on this regionally significant project. The projects are shown on Attachment 1 of the Resolution.

The Commission will, per Section 8879.73 of the Government Code, select projects from among eligible project nominations for the competitive grant program from the Uniform Developer Fees Sub-account. No single competitive grant may exceed $1 million. The Commission considers approval of a competitive grant only when the request meets the requirement of the statute and the project has a commitment of the required match and any supplementary funding needed for full funding. Thirty-six project applications were received for primarily local road, traffic mitigation projects. In approving grants for inclusion in the program of projects, staff gave consideration to criteria specified in statute: geographic balance, cost-effectiveness, multimodal, safety, reliability, construction schedule, leverage of funding, and air quality improvements. Only projects that can begin construction prior to December 31, 2009 were considered for programming in Cycle 1 (FY 2008-09). Projects with construction scheduled after December 31, 2009 can apply for funding in the next cycle. Twelve projects are recommended for funding and are shown on Attachment 2 of the Resolution.

Any SLPP funds that are not programmed will remain available for future programming.

Attachments

PASSED BY
CTC
APR 16 2009
CALIFORNIA
TRANSPORTATION COMMISSION

CALIFORNIA TRANSPORTATION COMMISSION

Adoption of Proposition 1B
State-Local Partnership Program (SLPP) Cycle 1

RESOLUTION SLP1B-P-0809-01

1.1 WHEREAS the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B on November 7, 2006, includes $1 billion for the State-Local Partnership Program (SLPP) to fund transportation capital improvement projects; and

1.2 WHEREAS the Bond Act provides that SLPP funds are available, upon appropriation by the Legislature, to Transportation Agencies, as allocated by the California Transportation Commission (Commission); and

1.3 WHEREAS the SLPP is subject to the provisions of Article 11 of the Government Code, Sections 8879.66 through 8879.76, as enacted in implementing legislation in 2008 (AB268) designating the Commission the administrative agency responsible for programming SLPP and the agency authorized to adopt guidelines for the program; and

1.4 WHEREAS the funds available in the SLPP account shall be made available for allocation by the Commission over a period of five years, with $200 million appropriated by the Legislature for the first cycle in Fiscal Year (FY) 2008-09; and

1.5 WHEREAS ninety-five percent of the funds shall be available to be distributed by formula and five percent shall be available to be distributed through a competitive grant application process (as specified in Sections 8879.72 and 8879.73 of the Government Code); and

1.6 WHEREAS the Commission adopted SLPP Guidelines on December 11, 2008, that identified the Commission's policy and expectations for the SLPP, including program development timelines and requirements for project nomination; and

1.7 WHEREAS the Commission received 18 project nominations for the formula portion of the program requesting $94,571,000 and 36 project applications for the competitive portion of the program requesting $23,882,000 by the Cycle 1 deadline of February 17, 2009; and

1.8 WHEREAS any Cycle 1 funds that are not programmed remain available for later programming in future Cycles; and

1.9 WHEREAS Commission staff has reviewed and evaluated the project nominations consistent with the criteria set forth in the law and the adopted SLPP guidelines, and

1.10 WHEREAS Commission staff, when reviewing the project nominations for the competitive portion of the program, gave higher priority to projects that can commence construction by December 2009.

2.1 NOW THEREFORE, BE IT RESOLVED that the Commission adopts the attached list of 16 projects nominated for the formula portion (Attachment 1) and 12 projects selected for the competitive portion of the State-Local Partnership Program (Attachment 2) for Cycle 1, and

2.2 BE IT FURTHER RESOLVED that a project's approved SLPP funding is to be considered a "not to exceed amount" and that any increase in project cost is the responsibility of the nominating agency, and

2.3 BE IT FURTHER RESOLVED that the implementing agency will submit semiannual reports on the activities and progress made toward implementation of the project, and, within six months of the project becoming operable, a final delivery report on the scope of the completed project, its final costs as compared to the approved project budget, its duration as compared to the original project schedule and performance outcomes derived from the project, and

2.4 BE IT FURTHER RESOLVED that the Department of Transportation will ensure that project expenditures and outcomes are audited. For each SLPP project, the Commission expects the Department to provide a semi-final audit report within 6 months after the final delivery report and a final audit report within 12 months after the final delivery report.

Attachment

RESOLUTION SLP1B-P-0809-01
Proposition 1B State-Local Partnership Program
Formula (dollars in thousands)
Staff Recommendations

Attachment 1
April 15-16, 2009
Item 4.7

Applicant Agency Project Title	Implementing Agency	Cycle 1-08/09 $ Available	Cycle 1-08/09 $ Requested	Information Only Cycle 2 09/10	Cycle 3 10/11	Cycle 4 11/12	Cycle 5 12/13
TOLLS AND PROPERTY/PARCEL TAXES							
Bay Area Toll Authority		$12,898	$12,898				
BART Warm Springs Extension	BART		$12,898	$12,898	$12,898	$1,306	
Bay Area Rapid Transit District		$2,563	$2,563				
BART Warm Springs Extension	BART		$2,563	$2,563	$2,563	$2,563	$2,563
SALES TAXES - NORTH							
Alameda		$7,814	$7,814				
BART Warm Springs Extension	BART		$7,814	$7,814	$7,814	$6,558	
Contra Costa		$5,326	$5,326				
SR 4 East Loveridge to Somersville	Caltrans		$5,253				
2009 RAC Overlay Program	El Cerrito		$73				
Madera		$764	$764				
Measure T Street Improvement Project	Chowchilla		$258				
Rehab, Resurface, Reconstruct and ADA	City of Madera		$356				
Ave 12 Sidewalk between Rds 36 and 37	Madera County		$150				
Marin		$1,304	$1,043				
Street Resurfacing Program	Marin County		$835				
Street Resurfacing Program	San Rafael		$208				
Nevada - Truckee		$82	$82				
Annual Slurry Seal Project	Truckee		$82	$82	$82	$82	$82
Santa Clara		$9,303	$8,000				
BART Warm Springs Extension	BART		$8,000				
Sonoma		$2,453	$1,200				
Hybrid Bus Acquisition	Santa Rosa		$1,200				
SALES TAXES - SOUTH							
Los Angeles		$54,625	$40,000	$54,700	$82,650	$35,150	$52,600
I-5 North Carpool Lns SR 118- 170	Caltrans		$40,000				
I-5 South Carmenita Interchange	Caltrans			$40,000			
San Fernando Valley Transit Extension	LACMTA			$14,700	$34,100	$25,150	$2,600
Metrolink Safety Improvements	SCRRA				$10,000	$10,000	
Metro Transit Capital - Bus Procurement	LACMTA				$38,550		
I-5 South Orange Co Line to SR 605	Caltrans						$50,000
Orange		$16,451	$12,164				
Katella Ave Smart Street Humor to Jean	Anaheim		$3,700				
Imperial Hwy and Assoc. Rd Smart Street	Brea		$200				
Imperial Hwy Smart St - Co Ln to Harbor	La Habra		$5,965				
Katella Ave Smart St - Stanton Ch to Jean	Orange County		$2,299				
Tulare		$2,294	$2,294				
Road 80 Widening - Phase 1A	Tulare County		$2,294				
	SUB-TOTAL	**$115,877**	**$94,148**	$78,057	$106,007	$45,659	$55,245

AGENCIES NOT REQUESTING FUNDS AT THIS TIME

	Cycle 1 $ Available	Cycle 1 $ Requested
Alameda-Contra Costa Transit District	$3,959	$0
Fresno	$4,715	$0
Mendocino - Fort Bragg	$35	$0
Mendocino - Point Arena	$2	$0
Mendocino - Willits	$25	$0
Nevada - Nevada City	$16	$0
Sacramento	$7,214	$0
San Francisco	$4,176	$0
San Joaquin	$3,472	$0
San Mateo	$3,745	$0
Santa Cruz	$1,350	$0
Imperial	$929	$0
Riverside	$11,007	$0
San Bernardino	$10,836	$0
San Diego	$16,583	$0
Santa Barbara	$2,259	$0
SUB-TOTAL	**$70,323**	**$0**
GRAND TOTAL	**$186,200**	**$94,148**

State-Local Partnership Competitive Program - Projects considered for funding

Recommended for Funding

Co.	Project Applicant	Project Description	Construction Start Date	SLPP $ Requested	TOTAL SCORE	Scoring Criteria (max 60 total points): multimodal	safety	reliability	env benefit air quality	leverage	cost effective
SJ	City of Stockton	Thornton Road	6/15/2009	$1,000,000	35	4	4	6	5	10	6
AMA	Amador County	Mission Blvd Gap	7/1/2009	$800,000	35	6	5	8	4	4	8
PLA	Placer County	Tahoe City Transit	7/1/2009	$226,000	34	7	3	4	5	10	5
ED	City of Placerville	Point View Dr	7/28/2009	$750,000	33	4	4	8	3	7	7
MER	City of Merced	59/Cooper Ave Sig	10/1/2009	$1,000,000	33	4	4	6	4	9	6
SAC	City of Elk Grove	Waterman/Grant Ln	6/1/2009	$1,000,000	31	0	4	6	3	9	9
SLO	San Luis Obispo Co	Willow Rd Extension	8/1/2009	$1,000,000	30	0	3	6	3	10	8
MER	City of Merced	Parsons Ave	11/1/2009	$1,000,000	30	2	5	6	3	6	8
SD	San Diego County	S.Santa Fe Ave	12/1/2009	$1,000,000	30	4	4	4	2	10	6
SAC	City of Elk Grove	Franklin/Elk Grove	6/1/2009	$988,000	29	5	5	4	3	7	5
KIN	City of Hanford	Greenfield Ave Ext	7/15/2009	$250,000	29	2	6	6	3	7	5
KIN	City of Hanford	12th Ave Widening	7/15/2009	$600,000	28	2	5	4	3	7	7
			Total Recommended	$9,614,000							

Not Recommended for Funding

KIN	City of Hanford	11th Ave Widening	7/1/2009	$500,000	26	2	5	4	3	6	6
ED	El Dorado	Silva Valley Pkwy	11/1/2009	$1,000,000	26	3	3	4	3	6	7
ED	El Dorado	Durock Rd/Bus Dr	6/1/2009	$1,000,000	23	0	3	4	3	7	6
TUL	City of Tulare	Traffic Sig Tulare/E	11/1/2009	$90,000	22	3	4	4	2	4	5
SJ	City of Stockton	Ben Holt/Inglewood	7/6/2009	$200,000	21	3	4	4	3	4	3
SAC	City of Elk Grove	EG Florin/Brown/Si	9/1/2009	$150,000	19	2	5	4	1	4	3
			Total Not Recommended	$2,940,000							

State-Local Partnership Competitive Program - Projects not considered for funding

CO	Project Applicant	Project Description	Construction Start Date	SLPP $ Requested
Projects with inadequate match funding				
ORA	City of Fullerton	Hiltscher Trail	9/1/2009	$263,000
MER	City of Merced	Yosemite Avenue	10/1/2009	$700,000
Projects with contracts already awarded:				
ORA	City of Mission Viejo	Crown Valley Pkwy	3/20/2006	$1,000,000
PLA	Placer County	SR 65/Sunset	3/1/2009	$362,000
Projects with future construction (may be appropriate for programming in future cycles)				
LA	City of Torrance	Crenshaw Blvd	1/30/2010	$225,000
ED	El Dorado	White Rock Rd	2/1/2010	$1,000,000
SAC	City of Elk Grove	EG Florin/E Stockt	3/1/2010	$240,000
ED	El Dorado	SR 49 widening	4/1/2010	$1,000,000
ORA	City of Fullerton	N Harbor Blvd stab	4/1/2010	$1,000,000
LA	City of Torrance	Storm Drain Imp	4/15/2010	$121,000
ORA	City of Fullerton	N Harbor Blvd	6/1/2010	$1,000,000
ORA	City of Fullerton	W Chapman Ave	6/1/2010	$1,000,000
ORA	City of Garden Grove	West Str Signal	6/1/2010	$112,000
SAC	City of Elk Grove	Grant Line	6/1/2010	$1,000,000
SD	City of Vista	SR78/Sycamore ramp	9/1/2010	$297,000
SLO	City Paso Robles	Vine Street	10/1/2010	$1,000,000
FRE	City of Fresno	SR99ramp/Herndon	9/1/2011	$565,000
FRE	City of Fresno	SR99ram/Ventura	9/1/2011	$444,000
		Total Not Considered For Funding		$11,329,000