Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: December 7-8, 2016

Reference No.: 4.19
Action

From: SUSAN BRANSEN
Executive Director

Subject: <u>**AMENDMENT TO THE FY 2016-2017 ACTIVE TRANSPORTATION PROGRAM POLICY ON PROJECT AMENDMENTS AND ADVANCE PROJECT ALLOCATIONS**</u>

<u>ISSUE:</u>

Should the California Transportation Commission (Commission) amend the Active Transportation Program (ATP) Policy on Project Amendments and Advance Project Allocations, adopted on August 18, 2016, to allow advance project allocations for projects programmed in future years for all project phases?

<u>RECOMMENDATION:</u>

On August 18, 2016, the Commission adopted the ATP Policy on Project Amendments and Advance Project Allocations. The policy stated that, beginning in October, the Commission would advance project allocations on a first come, first served basis for only the construction phase. At that time, the Commission directed staff to revisit this aspect of the policy and allow for advance project allocations for other project phases at the Commission meeting in January 2017 in the event there were few advance construction allocations requested. Because there have been no advance construction allocation requests since this policy adoption in August, staff recommends the Commission amend the ATP Policy on Project Amendments and Advance Project Allocations as follows:

<u>Advance Project Allocation</u>

Section VI of the guidelines states: "In order to ensure the timely use of all program funds, the Commission will, in the last quarter of the fiscal year, allocate funds to projects programmed in a future fiscal year on a first-come, first served basis."

Staff recommends the Commission approve the following policy on the advance allocation of projects programmed in future years as follows:

Beginning in ~~October~~ **December**, the Commission will advance project allocations ~~for construction~~ on a first come, first served basis, up to the amount of allocation extension requests approved during the previous year. **For** projects requesting the advance allocation of construction funding ~~must meet~~ the following criteria **must also be met**:

1. The project is Ready-to-List (all necessary permits and agreements have been executed and all contract documents are complete);
2. The project has a Right of Way certification 1 (all property has been acquired) or 2 (all property has been acquired and/or the implementing agency has the right to occupy or use the property); and
3. The Commission, as a Responsible Agency under the California Environmental Quality Act, has approved, or will be concurrently approving, the project for future consideration for funding.

BACKGROUND:

The ATP was created by Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. The Commission's ATP Guidelines describe the policy, standards, criteria, and procedures for the development, adoption and management of the ATP. Projects in the ATP are selected through a statewide competition based on project selection criteria and weighting, minimum project size, and match requirement as described in the guidelines. A Metropolitan Planning Organization (MPO), with Commission approval, may use a different project selection criteria or weighting, minimum project size, match requirement, and/or definition of disadvantaged communities for its competitive selection process.

The Commission adopted the Statewide and Small Urban and Rural components of the 2014 Active Transportation Program on August 20, 2014, and the MPO components on November 12, 2014 and December 10, 2014. In fiscal year 2014-15, 41 projects received allocation extensions for components totaling $27 million. In fiscal year 2015-16, 92 projects received allocation extensions for components totaling $171 million.

Attachments:
-   Attachment A: Active Transportation Program Amended Policy on Project Amendments and Advance Project Allocations Resolution No. G-16-35; Amending Resolution No. G-16-29