

Date: _____ December 20, 2007

Committee Meeting Date: _____ N/A

Board Meeting Date: _____ January 3, 2008

BOARD MEMORANDUM

ACTION ITEM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Michael T. Burns
General Manager

FROM: John H. Ristow
Chief CMA Officer

SUBJECT: Resolution for a 2008 State Transportation Improvement Program (STIP)
Application for the San Jose Airport People Mover Project

Policy-Related Action: No

Government Code Section 84308 Applies: No

RECOMMENDATION:

Adopt a resolution certifying that VTA is an eligible and responsible sponsor for the San Jose Airport People Mover Project in the State Transportation Improvement Program and authorize the General Manager to submit applications for Regional Transportation Improvement Program (RTIP) funding for this project.

BACKGROUND:

On December 13, 2007, the VTA Board of Directors took action to program \$50.44 million in Regional Transportation Program funds to the San Jose Airport People Mover Project. VTA is the lead agency for this project, and will serve as the sponsor, submitting all grant applications.

DISCUSSION:

As part of the application process, project sponsors are required to submit a Resolution of Local Support to the Metropolitan Transportation Commission (MTC). The resolution is included with this memo as Attachment A.

ALTERNATIVES:

There are no practical alternatives to the recommended action if the Board of Directors wishes to

receive STIP funds for the project. The Resolution of Local Support is required as part of the application for STIP funds.

FISCAL IMPACT:

This action will make \$50.44 million in STIP funds available for the Airport People Mover Project at Mineta San Jose International Airport.

Prepared by: Bill Hough, Transportation Planner III
Reviewed by: Marcella Rensi, Transportation Planning Manager

RESOLUTION OF LOCAL SUPPORT FOR
SAN JOSE AIRPORT PEOPLE MOVER PROJECT

WHEREAS, Santa Clara Valley Transportation Authority (“APPLICANT”) desires to submit an application to the Metropolitan Transportation Commission (MTC) for \$50,440,000 in funding from the 2008 Regional Transportation Improvement Program (RTIP) for the San Jose Airport People Mover Project (PROJECT) as authorized by MTC Resolution No. 3825 (PROGRAM); and

WHEREAS, pursuant to California Government Code Section 14527(b), MTC is responsible for programming projects eligible for regional improvement funds under Section 164(a)(2) of the Streets and Highways Code for inclusion in the RTIP, and submission to the California Transportation Commission (CTC) for inclusion in the State Transportation Improvement Program; and

WHEREAS, MTC will review and include, if approved, 2008 RTIP projects in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating regional improvement program-eligible projects to be programmed in the RTIP; and

WHEREAS, APPLICANT is a sponsor of transportation projects eligible for RTIP funding; and

WHEREAS, applications to MTC must be submitted in accordance with MTC procedures, conditions, and forms; and

WHEREAS, the RTIP project fact and fund sheet attached hereto and incorporated herein as though set forth at length lists the PROJECT, purpose, schedule and budget for which APPLICANT requests that MTC include regional improvement program funds for inclusion in the RTIP; and

WHEREAS, Part 2 of the PROJECT application, attached hereto and incorporated herein as though set forth at length, includes the certification by APPLICANT of assurances required by SB45 (Chapter 622, Statutes 1997); and

WHEREAS, The Board of Directors of the Santa Clara Valley Transportation Authority hereby certifies that:

1. VTA has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT within the schedule set forth in the RTIP fact and fund sheet attached to this Resolution;
2. VTA is an eligible sponsor of projects in the State Transportation Improvement Program;

3. VTA is authorized to submit an application for State Transportation Improvement Program funds for the PROJECT;

4. There is no legal impediment to VTA making applications for regional improvement program funds;

5. There is no pending or threatened litigation which might in any way adversely affect the proposed PROJECT, or the ability of VTA to deliver the PROJECT;

NOW THEREFORE BE IT RESOLVED, BY THE Board of Directors of the Santa Clara Valley Transportation Authority, that

APPLICANT VTA approves the assurances set forth in Part 2 of the PROJECT application attached to this Resolution; and be it further

RESOLVED, that APPLICANT authorizes its General Manager to file an application with MTC to program Streets and Highways Code Section 164(a)(2) regional improvement program funds into the RTIP for the purposes and amounts included in the PROJECT application attached to this Resolution; and be it further

RESOLVED, that a copy of this Resolution be transmitted to MTC in conjunction with the filing of the application referenced herein.

PASSED AND ADOPTED by the Santa Clara Valley Transportation Authority Board of Directors on January 3, 2008, by the following vote:

AYES: DIRECTORS

NOES: DIRECTORS

ABSENT: DIRECTORS

Liz Kniss, Chairperson
Board of Directors

I HEREBY CERTIFY AND ATTEST that the foregoing resolution was duly and regularly introduced, passed and adopted by the vote of two-thirds or more of the Board of Directors of the Santa Clara Valley Transportation Authority at a meeting of said Board of Directors on the date set forth above.

Dated: _____

Maria Marinos, Board Secretary

APPROVED AS TO FORM:

General Counsel

RTIP Project Application
Part 2: Certification of Assurances

The implementing agency certifies that the project for which Regional Improvement Program funding is requested meets the following project screening Criteria. **Please initial each.**

1. The project is eligible for consideration in the RTIP. Pursuant to Streets and Highways Code Section 164 (e), eligible projects include improving state highways, local roads, public transit, intercity rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety. _____
2. For the funds requested, no costs have/will be incurred prior to adoption into the STIP by the CTC. _____
3. A Project Study Report (PSR) or PSR equivalent has been prepared for the project. _____
4. The project budget included in Part 2 of the project application reflects current costs updated as of the date of application and escalated to the appropriate year. _____
5. The project is included in a local congestion management program (CMP). (Note: For those counties that have opted out of preparing a CMP in accordance with Government Code Section 65088.3, the project must be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the countywide transportation planning agency.) _____
6. The year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project. _____
7. The project is fully funded. _____
8. For projects with STIP federal funds, the implementing agency agrees to contact Caltrans and schedule and complete a field review within six months of the project being adopted or amended into the TIP. _____
9. For STIP construction funds, the implementing agency agrees to send a copy of the Caltrans LPP 01-06 "Award Information for STIP Projects – Attachment A" to MTC and the CMA, upon award. _____
10. The implementing agency agrees to be available for an audit of STIP funds, if requested.

The implementing agency also agrees to abide by all statutes, rules and regulations applying to the State Transportation Improvement Program (STIP), and to follow all requirements associated with the funds programmed to the project in the STIP. _____

These include, but are not limited to:

1. Environmental requirements: NEPA standards and procedures for all projects with Federal funds; CEQA standards and procedures for all projects programmed with State funds.

2. California Transportation Commission (CTC) requirements for transit projects, formerly associated with the Transit Capital Improvement (TCI) program. These include rules governing right-of-way acquisition, hazardous materials testing, and timely use of funds.
3. Federal Transit Administration (FTA) requirements for transit projects as outlined in FTA regulations and circulars.
4. Federal Highway Administration (FHWA) and Caltrans requirements for highway and other roadway projects as outlined in the Caltrans Local Programs Manual.
5. Federal air quality conformity requirements, and local project review requirements, as outlined in the adopted Bay Area Conformity Revision of the State Implementation Plan (SIP).