



Legislation Text

File #: 18-0392, **Version:** 1

Community Development Services, Department of Transportation recommending the Board consider the following pertaining to the South Tahoe Greenway Shared Use Trail Phase 1B and 2 Project:

- 1) Approve and authorize the Chair to sign the Memorandum of Understanding between the County and the California Tahoe Conservancy, which will define roles and responsibilities, subject to review and approval from County Counsel;
- 2) Approve and authorize the Chair to sign the Grant Agreement CTA 17 032L between the County and the California Tahoe Conservancy, which will provide funding to the County, subject to review and approval from County Counsel; and
- 3) Approve the addition of the South Tahoe Greenway Shared Use Trail Phase 1B and 2 Project to the 2017 Capital Improvement Program.

Funding: Active Transportation Program (35% - Federal), Congestion Mitigation and Air Quality (7% - Federal), California Tahoe Conservancy (58% - State).

DEPARTMENT RECOMMENDATION

Community Development Services (CDS), Department of Transportation (Transportation) recommending the Board consider the following pertaining to the South Tahoe Greenway Shared Use Trail Phase 1B and 2 Project (Project):

- 1) Approve and authorize the Chair to sign the Memorandum of Understanding between the County and the California Tahoe Conservancy, which will define roles and responsibilities, subject to review and approval from County Counsel;
- 2) Approve and authorize the Chair to sign the Grant Agreement CTA 17 032L between the County and the California Tahoe Conservancy, which will provide funding to the County, subject to review and approval from County Counsel; and
- 3) Approve the addition of the South Tahoe Greenway Shared Use Trail Phase 1B and 2 Project to the 2017 Capital Improvement Program.

Caltrans has agreed to review and provide conceptual approval of the draft MOU and Grant Agreement if Transportation can provide the draft documents to them prior to their deadline of March 19, 2018. Caltrans will then recommend to the California Transportation Commission (Commission) to allocate the ATP funding to the County instead of to the Conservancy. Transportation just received the draft documents from the Conservancy and is seeking Board approval of the draft MOU and Grant Agreement prior to being sent to Caltrans for their approval. If there are any significant changes to either document, Transportation will return to the Board for approval prior to execution.

Discussion/Background

The South Tahoe Greenway Shared Use Trail (Greenway) is a long term Conservancy project that will eventually comprise a multi-use trail from Meyers to Van Sickle Bi-State Park near Stateline, Nevada. Phase 1B of the Greenway will be located in Bijou Meadow between Al Tahoe Boulevard and Greenwood Way. Phase 2 of the Greenway will start at the southeasterly end of Sierra Boulevard and run parallel to Barbara Avenue, across Trout Creek meadow (including a bridge over Trout Creek), and then skirt South Tahoe Public Utility District property before joining an existing

portion of the Greenway near the end of Meadow Crest Drive.

The Conservancy has been awarded \$1,928,000 in Active Transportation Program (ATP) funding and \$390,000 in Congestion Mitigation and Air Quality (CMAQ) funding for use on the Project. Using Conservancy discretionary funding, the Conservancy was able to generate a 35% complete plan set. The Conservancy also completed California Environmental Quality Act and National Environmental Policy Act work on the Project. However, in completing these important steps, the Conservancy experienced some significant challenges when working with the California Department of General Services to deliver the Project through the design phase while meeting the requirements associated with use of ATP and CMAQ funding.

In November 2017, the Conservancy inquired if Transportation would be willing to take over the remaining Project delivery duties, including obtaining permits from environmental regulatory agencies, completing design, and constructing the Project. Maintenance of the trail will be performed by the City of South Lake Tahoe (City) under a previous agreement between the Conservancy, the City, and Lake Tahoe Community College.

Transportation staff agreed in principle with the Conservancy's proposal, and then began discussions with the California Department of Transportation (Caltrans) to determine the best course for Transportation to take over delivery of the Project (Caltrans is responsible for disbursing ATP funding). Caltrans informed Transportation staff that the County and the Conservancy would need to execute agreements that defined roles, responsibilities, and funding for the Project.

Caltrans has agreed to review and provide conceptual approval of the draft MOU and Grant Agreement if Transportation can provide the draft documents to them prior to their deadline of March 19, 2018. Caltrans will then recommend to the California Transportation Commission (Commission) to allocate the ATP funding to the County instead of to the Conservancy. Transportation just received the draft documents from the Conservancy and is seeking Board approval of the draft MOU and Grant Agreement prior to being sent to Caltrans for their approval. If there are any significant changes to either document, Transportation will return to the Board for approval prior to execution.

The MOU proposed for Board approval will satisfy Caltrans' requirement for assignment of Project roles and responsibilities. This will allow the Commission to allocate the ATP funding to the County. Executive staff from the Tahoe Regional Planning Agency (TRPA) has agreed to transfer the Project's CMAQ funding from the Conservancy to the County.

The ATP funding (\$1,928,000) and the CMAQ funding (\$390,000) will provide the County with \$2,318,000 of the \$5,500,000 estimated to be required to complete delivery of the Project. The remaining \$3,182,000 (including the \$650,000 provided by Lake Tahoe Community College) will be transferred to the County from the Conservancy via the proposed Grant Agreement. The County will not be providing any discretionary funding for this Project. A summary of the Project's funding plan is included in Exhibit B to the Grant Agreement.

The final Board action requested is to add the Project to the 2017 Capital Improvement Program.

Alternatives:

Do not approve the MOU and/or the Grant Agreement. Transportation will make any changes requested by the Board and return at a later date. This may cause the Project to lose ATP funding.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

It is recommended that the Board approve this item.

FINANCIAL IMPACT

There is no Net County Cost associated with this item. The costs associated with the proposed Board actions will be funded entirely by external sources. Funding for the Project will be provided by ATP (35% - Federal), CMAQ (7% - Federal), and Conservancy (58% - State).

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the partially executed MOU and Grant Agreement, upon review and approval from County Counsel.
- 2) The Clerk of the Board will forward the partially executed MOU and Grant Agreement to John Kahling, CDS Transportation, Headington Engineering for further processing.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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