

**TO:** Andrew P. Powers, City Manager

**FROM:** Clifford G. Finley, Public Works Director

**DATE:** May 21, 2024

**SUBJECT:** **Lynn Road Class IV Bike Lane and Pedestrian Improvements (CI 5660)**

**RECOMMENDATION:**

1. Adopt resolution rescinding Resolution No. 2023-017 approving Cooperative Agreement No. 07-5302 with the State of California Department of Transportation (Caltrans) for the Lynn Road Bike Lanes and Pedestrian Improvements Project (CI 5660).
2. Execute Caltrans Cooperative Agreement No. 07-5302 Termination Statement.
3. Approve budget appropriation and expenditure in FY 2023-24 in the amount of \$724 from A/C #136-0000-433-0000 (Intergovernmental Revenue/Gas Tax) to A/C #136-5310-631-8300 (CI 5660, Lynn Road Bike Lanes and Pedestrian Improvements project).
4. Authorize transfer of expenditure in FY 2023-24 in the amount of \$150,724 (\$123,348 for MNS Engineers Inc. agreement, plus extra services of \$14,852, and \$12,524 for City Furnished Materials and Supplies) from A/C #001-5310-631-8300 (General Fund, Lynn Road Class IV Bike Lane and Pedestrian Improvements Project, CI 5660) to A/C #136-5310-631-8300 (CI 5660, Lynn Road Bike Lane and Pedestrian Improvements Project).
5. Find that this action is not a project as defined under the California Environmental Quality Act (CEQA).

**LEVINE ACT ITEM: No**

**FINANCIAL IMPACT:**

**\$724 Increase to Adopted FY 2023-24 Capital Budget Fully Offset by Intergovernmental Revenue/Gas Tax and \$150,724 reduction to Adopted FY 2023-24 General Fund.** Increase of \$724 to the Adopted FY 2023-24 Grant Fund and Bicycle/Pedestrian Fund Capital Budget for the Lynn Road Improvements

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Project (CI 5660). Estimated total project cost of the Lynn Road Improvements Project (CI 5660) is \$9,565,795. The total available budget is \$5,457,519.

Additional grant funding (estimated at \$2,000,000) and additional budget appropriation (estimated at \$1,500,000) will be required at the time of the construction contract award anticipated in the Summer of 2026.

### **BACKGROUND:**

This Project will convert the existing bike lanes, in both travel directions along Lynn Road, from Gainsborough Road to South Reino Road, with the exception of Lynn Road overpass at US 101, where the existing number. 3 travel lane in the northbound direction will be converted to a new Class IV protected bike lane. In addition, the project will replace the existing overpass barrier wall on the west side of Lynn Road at US 101, install new fencing with LED lighting on both sides of the bridge, and connect incomplete segments of sidewalks on Lynn Road within the project limits (Attachment #1).

On December 2, 2022, and February 3, 2023, the Ventura County Transportation Commission (VCTC) approved \$5,288,595 in grant funding for the Lynn Road Improvements (CI 5660) including a \$2,511,595 Congestion Mitigation and Air Quality Grant, a \$2,602,000 Active Transportation Program (ATP) Cycle 6 Grant, and \$175,000 in Transportation Development Act (TDA) Article 3 funds (FY 2022-23).

On April 25, 2023, City Council adopted Resolution No. 2023-017 approving Cooperative Agreement No. 07-5302 with Caltrans to provide project oversight of the Project Initiation Document (PID) phase of the project improvements within Caltrans right-of-way. The Cooperative Agreement is part of the Caltrans project oversight and approval process for all proposed improvements within their right-of-way during the PID phase. On April 25, 2023, City Council also authorized an expenditure of \$150,000 from TDA Article 3 Fund 136 to compensate Caltrans' support cost for review and approval of the PID document since the project limits include the Lynn Road overpass.

### **DISCUSSION/ANALYSIS:**

Staff worked with Caltrans to streamline their project approval process and replace the original requirement for the preparation of a PID and a Project Report with a Design Engineering Evaluation Report (DEER), which reduces the overall duration and cost of the design phase. As a result, in March 2024 Caltrans requested that the original Cooperative Agreement for the PID Phase, which the City and Caltrans processed on April 25, 2023, be canceled, and replaced with an appropriate Cooperative Agreement at a later date (Attachment #2).

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In addition to the City’s resolution rescinding the original agreement, Caltrans also requires a signed Cooperative Agreement Termination Statement (Attachment #3) to complete the termination of Cooperative Agreement No. 07-5302.

Cancellation of the Cooperative Agreement will allow \$150,000 of the General Fund expenditure, previously authorized on April 25, 2023, to be transferred from General Fund to TDA Article 3 Fund 136 as follows, and as further reflected in the summary table below:

- Transfer \$123,348 of the previously authorized General Fund expenditure (November 14, 2023) for preliminary design with TDA Article 3.
- Transfer \$14,852 of the previously authorized General Fund expenditure (November 14, 2023) for design extra services with TDA Article 3.
- Transfer \$11,800 of the previously authorized General Fund expenditure (November 14, 2023) for City Furnished Materials and Supply with TDA Article 3.

Additionally, there is a fund balance of \$724 remaining in TDA Article 3 Fund 136 from the recently completed Conejo School Road and Willow Lane Improvements Project (CI 5492), which has been approved by VCTC to be transferred to the Lynn Road Bike Lane and Pedestrian Improvement Project (CI 5660) to help provide additional funding.

Below is the preliminary total project cost estimate of \$9,768,200. The total available budget is \$5,457,519. Additional grant funding (estimated at \$2,000,000) and additional budget appropriation (estimated at \$1,500,000) will be required at the time of the construction contract award.

**PRELIMINARY PROJECT COST SUMMARY**

	<b>Fund 001</b>	<b>Fund 136</b>	<b>Fund 183</b>	<b>Total</b>
Design (previous action)	\$ 123,348	\$ 25,000	\$1,144,871	<b>\$1,293,219</b>
Design Extra Services (previous action)	\$ 14,852	\$ 0	\$ 114,629	<b>\$ 129,481</b>
City Furnished (previous action)	\$ 30,000	\$ 0	\$ 0	<b>\$ 30,000</b>
Coop. Agreement (previous action)	\$ 0	\$ 150,000	\$ 0	<b>\$ 150,000</b>
Design ( <i>this action</i> )	(\$ 123,348)	\$ 123,348	\$ 0	<b>\$ 0</b>
Design Extra Services ( <i>this action</i> )	(\$ 14,852)	\$ 14,852	\$ 0	<b>\$ 0</b>

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	<b>Fund 001</b>	<b>Fund 136</b>	<b>Fund 183</b>	<b>Total</b>
City Furnished (this action)	(\$ 12,524)	\$ 12,524*	\$ 0	\$ 0
Rescind Coop. Agmt. (this action)	\$ 0	(\$150,000)	\$ 0	(\$ 150,000)
Right-Of-Way Acquisition (future action)	\$ 50,000	\$ 0	\$ 0	\$ 50,000
Construction Estimate (future action)	\$ 709,000	\$ 0	\$3,854,095	\$4,563,095
Unfunded Constr. Cost ** (future action)	\$1,500,000	\$ 0	\$2,000,000	\$3,500,000
<b>Total Costs</b>	<b>\$2,276,476</b>	<b>\$ 175,724</b>	<b>\$7,113,595</b>	<b>\$9,565,795</b>

\* Includes the additional \$724 funding from Revenue/Gas Tax revenue account.

\*\*The City is pursuing an additional \$2M in future grant funding and will be seeking \$1.5M in City funds for the construction of the various incomplete sidewalk segments on Lynn Road.

**PROJECT TIMELINE**

- |   |               |
|---|---------------|
| 1. Design Services Award (previous action)        | November 2023 |
| 2. Preliminary Engineering and Public Outreach    | Summer 2024   |
| 3. Traffic Commission - Preliminary Design Review | Fall 2024     |
| 4. City Council - Preliminary Design Approval     | Fall 2024     |
| 6. Final Design and Caltrans approval             | Spring 2026   |
| 7. Federal Fund Authorization for Construction    | Summer 2026   |
| 8. City Council - Construction Contract Award     | Fall 2026     |
| 9. Construction                                   | Late 2026     |
| 10. Project Completion                            | Spring 2028   |

Community Outreach: Staff is developing and implementing a public outreach plan for the project, with a particular focus on the businesses located adjacent to the project, as well as the general public. Staff began its public outreach efforts by presenting the project background and an overview of the proposed improvements to Traffic and Transportation Advisory Commission and City Council on February 15, 2023, and April 25, 2023, respectively. These meetings are part of an extensive public outreach effort to provide the public with opportunities for comments on this project. A dedicated project website has been created, [www.toaks.co/lynn](http://www.toaks.co/lynn), where updated project information will continue to be provided throughout the design and construction phases of the project. Various communications tools and strategies, including community meetings (if needed), press releases, website updates, and social media posts will be utilized to inform the public and receive feedback.

This action is not a project as defined under the CEQA because this action will not result in a direct or foreseeable indirect physical change in the environment [14 CCR 15060(c)].

This project meets City Council's Top Ten Priorities #6, "Public Works + Infrastructure Investments".

**CIP PROJECT PRIORITY (as outlined in FY 2023-24 and FY 2024-25 CIP Program Budget)**

Priority Two – Necessary, but not essential, and there could be consequences if deferred.

**COUNCIL GOAL COMPLIANCE:**

Meets the following City Council goals:

C. Operate City government in a fiscally and managerially responsible and prudent manner to ensure that the City of Thousand Oaks remains one of California's most desirable places to live, work, visit, recreate, and raise a family.

F. Provide and enhance essential infrastructure to ensure that the goals and policies of the Thousand Oaks General Plan are carried out and the City retains its role and reputation as a leader in protecting the environment and preserving limited natural resources.

**PREPARED BY:** Masoud Razavi, Engineering Associate

**Attachments:**

Attachment #1 – Vicinity and Location Maps

Attachment #2 – Resolution Rescinding Resolution No. 2023-017

Attachment #3 – Cooperative Agreement Termination Statement