



# City of San Antonio

## Legislation Details (With Text)

**File #:** 13-1225

**Type:** Miscellaneous Item

**In control:** City Council A Session

**On agenda:** 12/5/2013

**Title:** D) An Ordinance authorizing a three year lease extension with San Antonio Bike Share for their continued use of Building 203, located in Hemisfair Park.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Project Budget - Transportation Enhancement Program\_Two\_Grant, 2. SA B-cycle Urban Core Exp Budget Letterhead, 3. SA Bike Share Agreement - Amendment 7, 4. Ordinance 2013-12-05-0875

Date	Ver.	Action By	Action	Result
12/5/2013	1	City Council A Session		

**DEPARTMENT:** Office of Sustainability

**DEPARTMENT HEAD:** Mary C. Hammer

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Transportation Enhancement Program

**SUMMARY:**

A. This ordinance accepts and allocates funding for two grants from the Texas Department of Transportation (TxDOT) through the Transportation Enhancement Program in the amount of \$1,114,077.00 and matching funds in the amount of \$28,520.00 from the Advanced Transportation District Funds and \$249,999.00 from the City’s “Energy Efficiency Fund” for the implementation of the following two projects: “Bicycle Safe Resources for 8 to 80-year-olds” and “B-Cycle Urban Core Expansion” and authorizes the negotiation and execution of an Advance Funding Agreement for each project.

Bicycle Safe Resources for 8 to 80-year-olds

TxDOT Funding: \$ 114,080.00

Local Match: \$ 28,520.00

Total: \$142,600.00

B-Cycle Urban Core Expansion

TxDOT Funding: \$ 999,997.00

Local Match: \$249,999.00

Total: \$1,249,996.00

Projects undertaken with enhancement funds are eligible for reimbursement of up to 80 percent of allowable costs.

B. This ordinance authorizes the acceptance of \$870,807.00 in Transportation Enhancement Program grant funds from the Texas Department of Transportation for the Low Impact Landscaping around Downtown Freeway Entrances. This ordinance also approves the City's local matching funds in the amount of \$217,702.00 for a total project cost of \$1,088,509.00 and the State's Direct Cost of \$32,655.00, and the negotiation and execution of an Advance Funding Agreement.

C. This Ordinance authorizes an amendment to the City's current contract with San Antonio Bike Share (Contractor) to continue operations of the B-Cycle Municipal Bike Share System with a contract extension through December 31, 2015 with an option by the City to extend the agreement for two additional one year periods upon notice to the Contractor and with no further City Council action. Further, the contract amendment proposes to add funding received through the TxDOT Transportation Enhancement Program and the City Energy Efficiency Fund for the "B-Cycle Urban Core Expansion" project in the amount of \$1,168,474.00. This amount reflects the total project cost less Direct State Costs estimated at 7.5 percent of the project. The new funding will be used for capital equipment and costs related to installation, site preparation costs, map generation, printing and wayfinding.

D. This ordinance authorizes a three year lease extension with San Antonio Bike Share for their continued use of Building 203, located in Hemisfair Park.

## BACKGROUND INFORMATION:

A. On November 8, 2012, through Ordinance No. 2012-11-08-0876, City Council authorized the submission of grant applications to the Texas Department of Transportation (TxDOT) for federal funds associated with the Transportation Enhancement Program. All three projects submitted for consideration have been approved to receive funding. Information associated with each project is provided below:

1) Safe Resources for 8 to 80-year-olds which will consist of a two-year education program that will focus on resources which make bicycling accessible as a transportation choice for everyone from children to seniors. The program will produce two main deliverables:

- **4<sup>th</sup> Edition San Antonio-Bexar County Bike Map:** A major update of the regional comprehensive bicycle map.
- **Interactive Greenway Trails Map and Companion:** A resource designed for school-age children that will incorporate educational learning points about San Antonio's Greenway Trails, trail etiquette and bicycle safety.

The City has received \$114,080.00 for the first two sub-activities listed above. The Office of Sustainability has identified \$28,520.00 in Advanced Transportation District funds as the City's local match for a total of \$142,600.00 to complete this project.

2) B-Cycle Urban Core Expansion which will provide for additional B-Cycle stations within the urban core of

San Antonio. Successful bike share programs rely on density of stations to provide opportunities and convenience to system users. The system offers multifunctional benefits, providing transportation for citizens and visitors alike. San Antonio's B-Cycle program creates a convenient, economical, and sustainable transportation alternative for avoiding traffic and reducing vehicle miles traveled. The City has received \$999,997.00. The Office of Sustainability has identified \$249,999.00 in Energy Efficiency Funds as the City's local match for a total of \$1,249,997.00 to complete this project over the course of four years.

B. Low Impact Landscaping around Downtown Freeway Entrances which provides for the incorporation of low impact landscaping components as well as beautification in our downtown area. This project will eliminate many grassy areas and replace with low maintenance native vegetation and other landscape materials such as hardscape and rock complements. This will create an inviting entrance off of major highways leading into the downtown area.

The Transportation Enhancement Program will provide 80% of the project funds, which is \$870,807.00 and the City's local match of 20% is \$217,702.00 for a total project cost of \$1,088,509.00. The State also requires that the grant recipient fund the Direct State Cost which covers the cost of construction oversight, inspection, management reviews, and final project clearances. The Direct State Cost associated with this project is \$32,655.00.

C. The City of San Antonio presently contracts with San Antonio Bike Share for services for the Bike Share/Rental and Bike Tours Program, pursuant to an Agreement approved by City Council June 17, 2010, through City Council Ordinance No. 2010-06-17-0563, for an amount not to exceed \$841,579.00.

Since this time, there have been several amendments approved by City Council to increase the grant funds to a total current compensation amount not to exceed \$2,957,520.00.

Approval of this Ordinance will authorize an amendment to the City's current contract with San Antonio Bike Share (Contractor) to continue operations of the B-Cycle Municipal Bike Share System with a contract extension through December 31, 2015 with an option by the City to extend the agreement for two additional one year periods.

This Contract Amendment also modifies the asset management and reporting requirements required from San Antonio Bike Share, and allocates a portion of the Texas Department of Transportation (TxDOT) 2012 Transportation Enhancement Program (TEP) grant funds, and City Energy Efficiency Funds, to San Antonio Bike Share and implements the grant application scope of work for the "B-Cycle Urban Core Expansion", as authorized by Ordinance No. 2012-11-08-0876 (for the TxDOT grant application).

D. On June 17, 2010, City Council approved Ordinance 2010-06-17-0563, which authorized the lease of Building 203 to San Antonio Bike Share. Located in Hemisfair Park at the intersection of South Alamo and Cesar Chavez, the building serves as the hub for the bike share/rental and bike tour program. In accordance with the provisions of the lease, San Antonio Bike Share was responsible for all building renovations and they are responsible for utility service and building repairs.

In 2014, the Hemisfair Park Area Redevelopment Corporation (HPARC) plans to begin construction work in the area of the park where San Antonio Bike Share is located; therefore, the nearby parking lot will be closed and San Antonio Bike Share will lose their authorized parking spaces. Also, San Antonio Bike Share has agreed to provide promotional benefits to the City, including advertising panels on five bicycles and sponsor recognition on their website throughout the three year extension period. Due to Bike Share's loss of parking and the addition of promotional benefits to the City, the rental rate will be adjusted from the present \$1,404.00 to \$1,200.00 per month through the lease term.

The lease expires December 31, 2013 and the proposed three year extension will be valid from January 1, 2014 through December 31, 2016.

**ISSUE:**

A. On July 26, 2013 the City of San Antonio was notified by TxDOT that funding was being provided through the Transportation Enhancement Program to fund two projects which will further the goals of San Antonio as a bicycle-friendly community that promotes and supports alternative transportation. Projects funded through the Transportation Enhancement Program are eligible for reimbursement of up to 80 percent of allowable costs. The City will be receiving \$1,114,077.00 (80 percent of project cost) to fund these projects which will be added to the \$278,519.00 in local match funds for a total project cost of \$1,392,596.00. Out of this total City is required to fund 20 percent of the Direct State Costs, the estimated cost to the City is \$18,164.00. This Ordinance authorizes the acceptance of funds and the execution of two Advance Funding Agreements with the Texas Department of Transportation (TxDOT) to administer federal funds from the Transportation Enhancement Program to assist in funding of two projects being managed by the Office of Sustainability.

B. On July 26, 2013 the City of San Antonio was notified by TxDOT that funding was being provided through the Transportation Enhancement Program to fund the Low Impact Landscaping around Downtown Freeway Entrances. Projects funded through the Transportation Enhancement Program are eligible for reimbursement of up to 80% of allowable costs.

This Ordinance authorizes the acceptance of funds in the amount of \$870,807.00 and the negotiation and execution of the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) to administer federal funds from the Transportation Enhancement Program to assist in funding the Low Impact Landscaping around Downtown Freeway **Entrances** project. This ordinance also approves the City's local matching funds in the amount of \$217,702.00 for a total project cost of \$1,088,509.00 and the State's Direct Cost of \$32,655.00.

C. Approval of a contract amendment with San Antonio Bike Share to extend the contract for operation of the B-Cycle Municipal Bike Share System and to add funding received through the Transportation Enhancement Program and the City Energy Efficiency Fund to allow for the funding of capital and infrastructure of the B-cycle network. Consistency in staffing, branding, and customer service will be maintained.

D. Approval of this lease extension is consistent with City practice of leasing property in support of downtown commercial activity. HPARC supports extending San Antonio Bike Share's lease.

The Office of Sustainability is recommending approval to:

1. Accept and authorize funds for two Advance Funding Agreements with TxDOT related to the award of monies through the Transportation Enhancement Program
2. Contract amendment with San Antonio Bike Share to extend the term of the contract for operations of the B-Cycle Municipal Bike Share System and to increase funding by allocating grant funds received through the Transportation Enhancement Program
3. Authorization of a three year lease extension with San Antonio Bike Share for their continued use of Building 203, located in Hemisfair Park.

**ALTERNATIVES:**

A. City Council could choose not to approve these Advanced Funding Agreements with TxDOT and forfeit the opportunity to accept the Transportation Enhancement funds. However the City will lose the opportunity to receive reimbursement from TxDOT for these projects that promote bicycle friendliness and would need to identify funding from another source.

B. City Council could choose not to approve this Advanced Funding Agreement with TxDOT and forfeit the opportunity to accept the Transportation Enhancement funds. However the City will lose the opportunity to receive reimbursement from TxDOT for this project and would need to identify funding from another source.

C. City Council may postpone or deny approval of the contract extension and additional funds to expand the San Antonio B-Cycle Municipal Bike Share System. Postponement or failure to approve the ordinance request will delay the Office of Sustainability’s expansion of this grant-funded program and could impact operations of San Antonio B-Cycle. The current contract expires December 31, 2013.

D. City Council may choose not to renew the lease agreement with San Antonio Bike Share. Operations and maintenance staff of San Antonio B-Cycle would need to seek alternate office space and the City would lose revenue from the negotiated rent.

**FISCAL IMPACT:**

A. This ordinance accepts and allocates two grants from the Texas Department of Transportation (TxDOT) through the Transportation Enhancement Program in the amount of \$1,114,077.00 and the authorizes matching funds in the amount of \$28,520.00 from the Advanced Transportation District Funds and \$249,999.00 from the City’s “Energy Efficiency Fund” for the implementation of the following two projects: “Bicycle Safe Resources for 8 to 80-year-olds” and “B-Cycle Urban Core Expansion” and authorizes the negotiation and execution of an Advance Funding Agreement for each project.

Bicycle Safe Resources for 8 to 80-year-olds

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Local Match: \$ 28,520.00

Total: \$ 142,600.00

B-Cycle Urban Core Expansion

TxDOT Funding: \$ 999,997.00

Local Match: \$249,999.00

Total: \$1,249,996.00

B. This ordinance authorizes the City to accept funds in the amount of \$870,807.00 from TxDOT. In addition, this ordinance authorizes the City’s local match of \$217,702.00 and \$32,655.00 for the Direct State Cost for the Low Impact Landscaping around Downtown Freeway Entrances project, which is budgeted in the FY 2014 Storm Water Operating Fund.

C. This Ordinance authorizes increases the contract with San Antonio Bike Share by \$1,168,474.00 for costs related to the expansion of the bike share system in the urban core. Of this amount, \$934,779.00 will be funded through the TxDOT Transportation Enhancement Program, and \$233,695.00 will be funded from the City Energy Efficiency Fund. Funds for the City’s match are included in the FY 2014 Budget.

D. This Ordinance authorizes a three year lease extension with San Antonio Bike Share for the use of Building 203, located in Hemisfair Park. The monthly rate will be \$1,200 with an annual payment of \$14,400. Funds will be deposited into the General Fund in accordance with the FY 2014 Adopted Budget.

Lease Period	Total Payment to City
1/1/2014-12/31/2016	\$43,200.00
For calendar years 2014, 2015, and 2016, annual payment to City shall be \$14,400.00.	

**RECOMMENDATION:**

A. Staff recommends approval of this ordinance authorizing the acceptance and allocation of two grants from the Texas Department of Transportation (TxDOT) through the Transportation Enhancement Program for the following two projects: “Bicycle Safe Resources for 8 to 80-year-olds” and “B-Cycle Urban Core Expansion” and authorizing the negotiation and execution of an Advance Funding Agreement for each project.

B. Staff recommends approval of this ordinance authorizing the acceptance of funds from TxDOT and the negotiation and execution of an Advance Funding Agreement for the Low Impact Landscaping around Downtown Freeway Entrances project.

C. Staff recommends approval of an Ordinance authorizing an amendment to the City’s current contract with San Antonio Bike Share (Contractor) to continue operations of the B-Cycle Municipal Bike Share System with a contract extension through December 31, 2015 with an option by the City to extend the agreement for two additional one year periods upon notice to the Contractor and with no further City Council action. The amendment also increases funding to implement the “B-Cycle Urban Core Expansion” project.

D. Staff recommends approval of three year lease extension with San Antonio Bike Share for their continued use of Building 203, located in Hemisfair Park.