



EC-16-226 CITY OF ALBUQUERQUE

Albuquerque, New Mexico

Office of the Mayor

Mayor Richard J. Berry

INTER-OFFICE MEMORANDUM

November 1, 2016

TO: Dan Lewis, President, City Council

FROM: Richard J. Berry, Mayor 

SUBJECT:

Written Response to the questions in Section 1 of **R-16-85, Enactment R-2016-080**: *"Requiring the Administration to provide an amended design and finance plan for the bus rapid transit project known as Albuquerque Rapid Transit (ART) and to convene a summit of business and property owners to identify recommendations."*

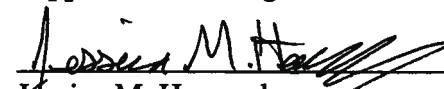
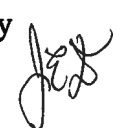
See attached letter to Councilor Lewis

Written response to the questions in Section 1 of **R-16-85, Enactment R-2016-080**: *"Requiring the Administration to provide an amended design and finance plan for the bus rapid transit project known as Albuquerque Rapid Transit (ART) and to convene a summit of business and property owners to identify recommendations."*

Approved:

 11.3.16
Robert J. Perry Date
Chief Administrative Officer

Approved as to Legal Form:

 11/02/16
Jessica M. Hernandez Date
City Attorney


Recommended:

 11.3.16
Michael Riordan, PE Date
Chief Operations Officer

 11.1.16
Bruce Rizzieri Date
Director, ABQ RIDE



November 1, 2016

The Honorable Daniel Lewis
President of the City Council
City of Albuquerque
P.O. Box 1293
Albuquerque NM 87103

In Re: Response to the questions in Section 1 of **R-16-85, Enactment R-2016-080:**
"Requiring the Administration to provide an amended design and finance plan for the bus rapid transit project known as Albuquerque Rapid Transit (ART) and to convene a summit of business and property owners to identify recommendations."

Councilor Lewis:

Section 1 of the referenced Resolution (attached) asks three questions, addressed here in order:

Question 1: [Provide] a plan to fund the operation of ART using a mix of the scenarios described in the second and third recitals to this Resolution to fund the operation of ART through City Fiscal Year 2021. If such plan changes fares or a pass program it shall include a recommended schedule or schedules of fare and pass programs that would be adopted to fund the operation of the Bus Rapid Transit line known as ART.

Answer: No changes in pass programs or to fare structure are being contemplated specifically for ART. The estimate of increased operating cost for ART over the operating cost of the current Rapid Ride lines, as submitted to the Federal Transit Administration, is \$2.3 million annually in 2016 dollars.

The Department proposes to secure this additional funding in the following manner:

ART OPERATION REVENUE PLAN	
Congestion Management Air Quality Funds	1,800,000
Fare Revenues from Increased Ridership	100,000
Naming Rights	400,000
Operating Budget Net Increase	2,300,000

As indicated above, this funding plan relies on Congestion Mitigation and Air Quality Improvement (CMAQ) funds. These funds can be used only for new or expanded service for the first three years' worth of expenses, although that total can be spread out over up to five years. The current Transportation Improvement Program (TIP)

includes Surface Transportation Program – Urban (STPU) funding for ART. Although STPU funds cannot be used to pay for transit operations of new services as CMAQ can, with the cooperation of the NMDOT and Mid-Region Metropolitan Planning Organization, STPU funds can be transferred to the CMAQ program. If NMDOT does not provide currently-programmed CMAQ funds for ART after FY17, the City will propose to transfer the currently programmed STPU funds to CMAQ. With such transfers, an annual average of \$1.6 million would be available for ART operations, and the Department intends to pursue additional CMAQ funds in future years through the NMDOT's competitive process.

Question 2: In the event that the recommended funding for the full grant of \$69,000,000 is not approved by the Federal Government, a contingency plan that addresses the impact on ART performance parameters, including but not limited to ridership projections, service headways, and the ART line's termini, that are listed in the City's application will be prepared.

Answer: The congressional appropriations process for federal fiscal year 2017 has not been completed. Until the Transportation Housing and Urban Development (THUD) appropriations process has been completed, the City does not know the funding amounts per year that will be appropriated for the ART project. Initiating construction of New Starts and Small Starts projects prior to receiving a signed construction grant agreement from the FTA is common practice within the US transit industry. To our knowledge and the knowledge of our consultant, HDR Engineering, every New Starts or Small Starts project that completed the environmental process, was included in the President's budget, and requested a construction grant from the FTA, has received a grant agreement.

Question 3: [Provide] a plan that includes a map of where the Bus Rapid Transit/ART project will remove and add parking spaces and list the distance between where a parking space was removed and where the closest space was added. For those locations where new parking is not added near where existing parking is removed, the plan shall include recommendations for adding parking off Central Avenue and near the businesses where the parking was removed.

Answer: The attached series of 16 maps addresses the area between the San Pasquale Avenue/Central Avenue intersection and the eastern terminus of the ART construction corridor at Louisiana Boulevard. There are no on-street parking spaces, existing or proposed, west of San Pasquale. In total, there will be an additional 50 parking spaces in the Corridor over the current count of 469. For most of the distance from Manzano Day School (1801 Central NW) to 10th Street there is no official marked on-street parking in this area, only lengths of curb that could be used for this purpose. The number of "existing" spaces was determined by dividing that length of curb by 22 feet per space. The right-of-way of Central Avenue is the governing physical factor of

design, and in this section it was necessary to trade-off between keeping the bicycle lane or keeping the potential on-street parking.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce Rizzieri". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Bruce Rizzieri
Director
Transit Department

Cover Analysis

1. What is it?

Written response to inquiries in Section 1 of R-16-85, Enactment R-2016-080: *“Requiring the Administration to provide an amended design and finance plan for the bus rapid transit project known as Albuquerque Rapid Transit (ART) and to convene a summit of business and property owners to identify recommendations.”*

2. What will this piece of legislation do?

Answer the Council’s questions

3. Why is this project needed?

A written response is required by the Resolution.

4. How much will it cost and what is the funding source?

N/A

5. Is there a revenue source associated with this Plan? If so, what level of income is projected?

N/A

FISCAL IMPACT ANALYSIS

TITLE:

R:

O:

FUND:

DEPT:

- ☐ No measurable fiscal impact is anticipated, i.e., no impact on fund balance over and above existing appropriations.
- ☒ (If Applicable) The estimated fiscal impact (defined as impact over and above existing appropriations) of this legislation is as follows:

	2014	Fiscal Years 2015	2016	Total
Base Salary/Wages				-
Fringe Benefits at	-	-	-	-
Subtotal Personnel	-	-	-	-
Operating Expenses		-		-
Property		-	-	-
Indirect Costs	-	-	-	-
Total Expenses	\$ -	\$ -	\$ -	\$ -
☐ Estimated revenues not affected				
☒ Estimated revenue impact				
Revenue from program				0
Amount of Grant		-	-	
City Cash Match				
City Inkind Match				
City IDOH	-	-	-	-
Total Revenue	\$ -	\$ -	\$ -	\$ -

These estimates do not include any adjustment for inflation.

* Range if not easily quantifiable.

Number of Positions created

COMMENTS:

COMMENTS ON NON-MONETARY IMPACTS TO COMMUNITY/CITY GOVERNMENT:

PREPARED BY:

APPROVED:

FISCAL ANALYST

DIRECTOR

(date)

REVIEWED BY:

EXECUTIVE BUDGET ANALYST

BUDGET OFFICER (date)

CITY ECONOMIST



City of Albuquerque

Albuquerque/Bernalillo
County
Government Center
One Civic Plaza
Albuquerque, NM 87102

Legislation Details (With Text)

File #: R-16-85
Type: Resolution
Status: Enacted
File created: 8/1/2016
In control: City Council
Final action: 9/7/2016
Enactment date: 9/29/2016
Enactment #: R-2016-080
Title: C/S Requiring The Administration To Provide An Amended Design And Finance Plan For The Bus Rapid Transit Project Known As Albuquerque Rapid Transit (ART) And To Convene A Summit Of Business And Property Owners To Identify Recommendations (Sanchez)

Sponsors:

Indexes:

Code sections:

Attachments: 1. R-85, 2. R-85 Approved Committee Substitute.pdf, 3. CS R-85Enacted

Date	Ver.	Action By	Action	Result
9/29/2016	3	City Clerk	Published	
9/29/2016	3	Mayor	Signed by the Mayor	
9/20/2016	2	City Council	Sent to Mayor for Signature	
9/7/2016	2	City Council	Passed	Pass
8/15/2016	2	City Council	Accepted Without Recommendation, as Substituted, as Amended (Immediate Action)	
8/15/2016	2	City Council	Postponed	Pass
8/8/2016	1	Finance & Government Operations Committee	Substituted	Pass
8/8/2016	1	Finance & Government Operations Committee	Amended	Pass
8/8/2016	1	Finance & Government Operations Committee	Sent to Council Without Recommendation, as substituted, as amended	Pass
8/8/2016	1	Finance & Government Operations Committee	Sent to Council for Immediate Action	Pass
8/1/2016	1	City Council	Introduced and Referred	
8/1/2016	1	President	Referred	

CITY of ALBUQUERQUE TWENTY SECOND COUNCIL

COUNCIL BILL NO. C/S R-16-85 ENACTMENT NO. _____

SPONSORED BY: Ken Sanchez

RESOLUTION

C/S Requiring The Administration To Provide An Amended Design And Finance Plan For The Bus Rapid Transit Project Known As Albuquerque Rapid Transit (ART) And To Convene A Summit Of Business And Property Owners To Identify Recommendations (Sanchez)
REQUIRING THE ADMINISTRATION TO PROVIDE AN AMENDED DESIGN AND FINANCE PLAN FOR THE BUS RAPID TRANSIT PROJECT KNOWN AS ALBUQUERQUE RAPID TRANSIT (ART) AND TO CONVENE A SUMMIT OF BUSINESS AND PROPERTY OWNERS TO IDENTIFY RECOMMENDATIONS.

WHEREAS, the City of Albuquerque, to improve transit service, the use of land and commerce has planned, designed and engineered a bus rapid transit line known as "ART" that will operate on Central Avenue, Louisiana Boulevard and the Uptown Loop. The Administration intends to commence with construction in early August 2016 with completion scheduled by September of 2017. As of May of 2016, the ART Project was considered fully funded for construction and daily operation through October of 2021; and

WHEREAS, the current presidential administration awarded the ART Project a \$69,000,000 Federal Transit Administration Small Start's Grant. The House of Representatives has proposed a \$50,000,000 distribution of the grant for the Federal Fiscal Year 2017 budget. The remaining \$19,000,000 may or may not be awarded in the Federal Fiscal Year 2018 Budget; and

WHEREAS, funding the operation of the ART could be provided in several ways increasing fares, adjusting pass programs, absorbing the growth increment in gross receipts tax or a mix of the fore stated; and

WHEREAS, the second scenario would fund ART operations with federal Congestion Management Air Quality (CMAQ) Funds through Federal Fiscal year 2021. The City was an automatic recipient of these funds due to the metropolitan area's designation as an air quality maintenance attainment area under federal Clean Air Act regulations. CMAQ funds appropriated to a State Department of Transportation by the Federal Government, in a state where there is a community under a Clean Air Act Air Quality Maintenance Plan, are required to be to non-attainment communities. In June 2016, after decades of designation as an air quality maintenance area the Albuquerque metropolitan area was certified by the Federal Environmental Protection Agency as being in full compliance with the standards of the Federal Clean Air Act and no longer under an air quality maintenance plan. The New Mexico Department of Transportation has

informed the regional distributor of the funds, the Mid- Region Council of Governments, that the funds will be removed from the ART Project after Federal Fiscal year 2017 and distributed statewide. To receive these funds the City must now compete with other projects statewide; and

WHEREAS, merchants and property owners on Central Avenue have expressed concerns that the design of the ART will impair commerce and business through the consolidation of left turn access to signalized intersections, the elimination of parking along some sections of the line and security issues related to transit service on Central Avenue. This has resulted in litigation and a voter initiative against the project; and

WHEREAS, the City Council enacted Ordinance-16-12, establishing the Central Avenue Business Advisory Board to advise the Transit Department and City Council on coordinating the construction, operation and any system improvements of transit lines on Central with the land uses that adjoin Central Avenue.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE:

SECTION 1. By November 1st of 2016 the Administration shall submit to the Albuquerque City Council the following plans for the bus rapid transit project known as the ART:

1. A plan to fund the operation of ART using a mix of the scenarios described in the second and third recitals to this Resolution to fund the operation of the ART through City Fiscal Year 2021. If such plan changes fares or a pass program it shall include a recommended schedule or schedules of fares and pass programs that would be adopted to fund the operation of the Bus Rapid Transit Line known as ART.

2. In the event that the recommended funding for the full grant of \$69,000,000 is not approved by the Federal Government, a contingency plan that addresses the impacts on ART performance parameters, including but not limited to ridership projections, service headways, and the ART line's termini, that are listed in the City's application will be prepared.

3. A plan that includes a map of where the Bus Rapid Transit/ART project will remove and add parking spaces and lists the distance between where a parking space was removed and where the closest space was added. For those locations where new parking is not added near where existing parking is removed, the plan shall include recommendations for adding parking off Central Avenue and near the businesses where the parking was removed.

SECTION 2. By October 1st the Central Avenue Business Advisory Board will convene a summit for merchants and property owners whose businesses or properties are located on

Central Avenue between Unser and Louisiana Boulevard to work with the ART Project Staff to seek solutions to the issues identified in paragraphs two and three of this resolution and to address parking issues of security on the ART Busses and Stations.

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