



# City of San Antonio

## Agenda Memorandum

**File Number:**  
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**Agenda Item Number:** 2

**Agenda Date:** March 21, 2023

**In Control:** Transportation and Mobility Committee Meeting

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**DEPARTMENT:** Transportation Department

**DEPARTMENT HEAD:** Tomika Monterville

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:**

Briefing and possible action on the VIA Advanced Rapid Transit (ART) North/South (N/S) Project Interlocal Agreements (Project ILA), the Project Improvements, and the ATD II ILA between the City of San Antonio and VIA Metropolitan Transit Authority

**SUMMARY:**

The City of San Antonio and VIA Metropolitan Transit Authority are providing a briefing on the VIA Advanced Rapid Transit North/South (N/S) Project Interlocal Agreements, inclusive of the Project Improvements, and the ATD II ILA between the City of San Antonio and VIA Metropolitan Transit Authority.

**BACKGROUND INFORMATION:**

VIA Metropolitan Transit Authority (VIA) and the City of San Antonio (City) are establishing Interlocal Agreements that provide the cooperative framework for delivering Keep San Antonio Moving Plan (KSAM Plan).

## **ART N/S Project ILA**

The ART N/S Project (“Project”) is in the second year of the Federal Transit Administration’s (FTA) Capital Investment Grants (CIG) Program. As part of the CIG Program, VIA is expected to execute cooperative agreements with key stakeholders. The Project ILA will establish the processes and mutually beneficial roles and responsibilities that will ensure the Project is completed within the anticipated schedule and budget. The City and VIA agree to coordinate their actions in good faith and in the best interests of the Project. The Project ILA also defines the process by which the City can request “betterments” or elements to be integrated within the project.

The Project ILA focuses on VIA and the City’s roles and responsibilities for the capital portion of the Project. VIA is the Project sponsor and recipient of federal funding responsible for delivering the Project according to federal requirements. In that role, VIA will lead the Project for purposes of federal environmental approvals, grants, and funding. VIA will lead the design and construction of the Project, to the applicable local standards, inclusive of the letting of applicable contracts, method of delivery determination, and start-up and commissioning activities. VIA will procure the transit vehicles and set the transit service schedule. The City will cooperate and support VIA’s efforts to complete the Project, communicate with stakeholders and the public, and obtain permits.

The Project ILA also sets out the processes by which City staff will review and comment on the Project design plans, issue applicable permits, and conduct inspections. The Project ILA also identifies the process for coordination concerning utilities, property acquisition, and transit signal priority. The Project ILA identifies individuals who will serve as the primary points of contact between the City and VIA for purposes of resolving concerns.

The Project ILA is a precursor for future agreements that outline details of operations and maintenance once the Project design is completed. In general, VIA will be responsible for operating and maintaining all transit elements of the Project, such as all improvements within the station areas, and the City will continue to operate and maintain the public right of way as it does today.

## **ISSUE:**

VIA and the City continue to work cooperatively to advance efforts for the development of the ILA. VIA, City leaders, attorneys, and staff met in May 2022 to kick off a joint effort to develop the ILA. VIA organized technical workshops, virtual information sessions, and meetings with key staff from the Transportation and Public Works departments and City staff from various departments to introduce the Project Design Criteria Manual and the distribution of the 30% design plans. City and VIA leaders also met to develop the key business terms of the Project ILA. VIA distributed a draft business points document to the City for feedback. On November 16 and 17, 2022, VIA and City staff held a two-day workshop to review and further develop the business points as well as a schedule for completion of the agreement. The City Council Transportation and Mobility Committee was updated on the Project ILA on November 29, 2022, January 17, 2023 and February 21, 2023.

The March 21, 2023, briefing serves as staff's update to the City Council Transportation and Mobility Committee on the draft ILA agreement inclusive of key highlights such as agreed upon roles and responsibilities, corrective action processes, and other agreed upon provisions to demonstrate to FTA that partnership framework exists to manage risk on the project. The briefing also includes a summary of key project improvements, safety benefits, and current costs.

**FISCAL IMPACT:**

No fiscal impact related to the ART N/S Project ILA.

**ALTERNATIVES:**

No alternative is considered as the ILA is critical for VIA to secure FTA funding and establish a framework for a partnership with the City throughout the ART N/S Project.

**RECOMMENDATION:**

Recommend Transportation and Mobility Committee approve the ART N/S Project ILA between the City of San Antonio and VIA Metropolitan Transit Authority and forward to the City Council for consideration in April 2023.