



Legislation Details (With Text)

**File #:** 16-320      **Version:** 1      **Name:**

**Type:** Consent Item      **Status:** Passed

**File created:** 7/11/2016      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority

**On agenda:** 9/19/2016      **Final action:** 9/19/2016

**Title:** SUBJECT: Encroachment Permit #16-01 to Allow the Transit Joint Powers Authority for Merced County (TJPAMC) to Install Bus Facilities, Including Shelters, Benches, Signs, and Painted Curbs at Various Transit Stop Locations within the City of Merced.

REPORT IN BRIEF

Request to approve an Encroachment Permit for the Transit Joint Powers Authority for Merced County (TJPAMC) to install transit stops and equipment at various locations within the City of Merced.

RECOMMENDATION

City Council - Adopt a motion approving an Encroachment Permit for the placement, operation, and maintenance of bus stops within the City's property.

Sponsors:

Indexes:

Code sections:

**Attachments:** 1. Bus Stop Map with unapproved locations.pdf, 2. Att 2 - Signed Encroachment Permit.pdf

Date	Ver.	Action By	Action	Result
9/19/2016	1	City Council/Public Finance and Economic Development Authority/Parking Authority	approved	Pass

*Report Prepared by: Julie Nelson, Associate Planner*

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**ALTERNATIVES**

1. Approve as recommended by staff; or,
2. Approve subject to modifications as conditioned by Council; or,

3. Deny the request; or,
4. Refer back to staff for reconsideration of specific items (specific items to be addressed in City Council motion); or,
5. Continue to a future City Council meeting (date and time to be specified in City Council motion).

## **AUTHORITY**

Charter of the City of Merced, Section 200.

## **DISCUSSION**

The Transit Joint Powers Authority for Merced County (TJPAMC), also known as “The Bus”, is working to improve their transit stops within the City of Merced and establish new bus stops at several locations. The TJPAMC is seeking approval to install new bus shelters, benches, trash receptacles, signs, paint red curbs, and bring the stops into compliance with the Americans with Disabilities Act (ADA) at several locations throughout South Merced and at a few locations in Central Merced.

The map at Attachment 1 shows the transit stop locations proposed to be improved. There are a total of 42 locations, which include 36 existing stops and 6 new stops. Typically, bus stops are required to be approved by the City Council by either adopting a Resolution or Ordinance. However, it appears that several stops may not have been fully approved for use. In an effort to help the TJPAMC expedite their project which would add needed improvements to the stops, particularly upgrades to meet handicap accessibility requirements, and to better serve the community, staff determined the issuance of an encroachment permit for the stops currently being used would be the best method to proceed. The approval of the encroachment permit would allow the TJPAMC to make the proposed improvements and bring the stops into compliance with ADA requirements while staff puts together a comprehensive list of stops that are in use and need to be approved or that are being requested as new stops. Once staff has prepared the list of transit stops that are in use, but not fully approved, staff will review the sites and bring a report to the Council for review and approval. Because the majority of these stops have been in service for quite some time, staff felt it was better to allow the improvements to begin while the necessary paperwork is being done to officially approve the stops rather than interrupt service and delay the improvements while processing the formal approval. Each stop covered under the encroachment permit has been evaluated by the Engineering and Planning Departments. With a few exceptions, the proposed locations and improvements are acceptable. Staff is working with the TJPAMC staff to work out the details of the sites where there are concerns. No work would be done at these sites until all concerns have been addressed to the City’s satisfaction.

City staff is recommending approval of the encroachment permit found at Attachment 2.

## **IMPACT ON CITY RESOURCES**

Inspection Services staff would be required to conduct inspections at each transit stop location. Fees collected for processing the encroachment permit would not cover those costs. Therefore, there will be some impact to the Inspection Services staff and budget. However, the amount of time spent on each inspection can be managed under existing workloads. In addition, staff would be impacted when preparing the list of approved sites and bringing the list back to Council for approval. Because this appears to have been an oversight from years ago, there is no fee to collect for the administrative time spent to properly approve all the transit stop locations.

## **ATTACHMENTS**

1. Map of Transit Stop Locations
2. Encroachment Permit