

## RESOLUTION NO. 18-105

### **Resolution Of The City Council Of The City Of Emeryville Approving The Request To The Metropolitan Transportation Commission By The City Of Emeryville For An Allocation Of Transportation Development Act Article 3 Pedestrian And Bicycle Project Funding For Fiscal Year 2018/2019; CEQA Determination: Exempt Pursuant to 15301(c)**

**WHEREAS**, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

**WHEREAS**, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

**WHEREAS**, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

**WHEREAS**, the City of Emeryville desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it


**RESOLVED**, that the City Council of the City of Emeryville finds that the proposed project is exempt under California Environmental Quality Act Guideline 15301(c) which applies to minor alterations to existing public facilities; and, be it further

**RESOLVED**, by the City Council of the City of Emeryville makes findings in Attachment A, based on the discussion in the City Staff Report dated July 10, 2018; and, be it further

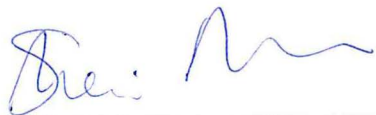
**RESOLVED**, by the City Council of the City of Emeryville authorizes the City Manager to submit an application (Attachment B) to the County of Alameda and/or MTC and that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of County of Alameda for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, July 10, 2018, by the following vote:

AYES:	<u>5</u>	Mayor Bauters, Vice Mayor Medina and Council Members Donahue, Martinez and Patz
NOES:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>0</u>	

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED AS TO FORM:

  
CITY ATTORNEY



## **Attachment A**

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2018/2019 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

### **Findings**

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1. That the **City of Emeryville** is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the **City of Emeryville** legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the **City of Emeryville** has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the **City of Emeryville** within the prior five fiscal years.
8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the **City of Emeryville** agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

## **Attachment B**

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### **TDA Article 3 Project Application Form**

Fiscal Year of this Claim: 2018/2019

Applicant: City of Emeryville

Contact person: Ryan O'Connell

Mailing Address: 1333 Park Avenue

E-Mail Address: roconnell@emeryville.org

Telephone: 510-596-4346

Secondary Contact (in event primary not available)

E-Mail Address: Nancy Humphrey

Telephone: 510-596-4728

**Short Title Description of Project:** 2018/2019 TDA Bike and Ped Improvements throughout City of Emeryville

Amount of claim: \$66,603

#### **Functional Description of Project:**

This project will install various small projects from the City of Emeryville's adopted Pedestrian and Bicycle Plan (2012), and install a bike/ped counter on one of the City's shared use greenway paths.

#### **Financial Plan:**

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

#### **Project Elements:**

Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		66,603			66,603
list all other sources:					
1.					
2.					
3.					
4.					
<b>Totals</b>		66,603			66,603

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated). <u>July 10, 2018</u>	NO
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	NO
C. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? (Available on the internet via: <a href="http://www.dot.ca.gov">http://www.dot.ca.gov</a> ).	YES
D. Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: <u>June 25, 2018</u>	YES
E. Has the public availability of the environmental compliance documentation for the project (pursuant to CEQA) been evidenced by the dated stamping of the document by the county clerk or county recorder? (required only for projects that include construction).	YES
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <u>December 2019</u>	YES
G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: _____)	YES