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**RESOLUTION NO. 2012-26**

**A RESOLUTION OF THE ALBANY CITY COUNCIL REQUESTING THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) FOR THE ALLOCATION OF FISCAL YEAR 2012/13 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING**

**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. 875, Revised, entitled “Transportation Development Act, Article 3, Pedestrian/Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

**WHEREAS**, MTC Resolution No. 875, Revised 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 Albany** 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 of Albany** declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, be it

**BE IT FURTHER RESOLVED**, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this

1 resolution, or that might impair the ability of the **City of Albany** to carry out the project;  
2 and furthermore, be it

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4 **BE IT FURTHER RESOLVED**, that the **City of Albany** attests to the accuracy of  
5 and approves the statements in Attachment A to this resolution; and furthermore, be it

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7 **BE IT FURTHER RESOLVED**, that a certified copy of this resolution and its  
8 attachments, and any accompanying supporting materials shall be forwarded to the  
9 congestion management agency, countywide transportation planning agency, or county  
10 association of governments, as the case may be, of **Alameda County** for submission to  
11 MTC as part of the countywide coordinated TDA Article 3 claim.

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Farid Javandel, MAYOR