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### **RESOLUTION NO. 2013-21**

A RESOLUTION OF THE ALBANY CITY COUNCIL REQUESTING THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) FOR THE ALLOCATION OF FISCAL YEAR 2013/14 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,

**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

**RESOLVED,** that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the **City of Albany** to carry out the project; and furthermore, be it

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

**RESOLVED,** 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 **Alameda County** for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

eggy homsen, MAYOR

### Resolution No. 2013-21 Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year
13/14 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

### Findings Page 1 of 1

- 1. That the City of Albany 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 Albany legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
- 2. That the City of Albany 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 Albany within the prior five fiscal years.
- 8. That the project(s) described in Attachment B which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).
- 9. That any project described in Attachment B that is a "Class I 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 are ready to commence implementation during the fiscal year of the requested allocation.
- 11. That the City of Albany 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 page 2 of 3

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

Fiscal Year of this Claim: 13/14 App	olicant: City of Albany
Contact person: Aleida Andrino-Chavez	
Mailing Address: 1000 San Pablo Avenue, Albany, C	A94706
E-Mail Address: Achavez@albanyca.org	Telephone: 510-528-5759
Secondary Contact (in event primary not available) F	Ray Chan, Public Works Director/City Engineer
E-Mail Address: rchan@albanyca.org	Telephone: 559-7255
Extending the bicycle lanes along Marin Avenue of modifications to allow for safe crossing of pedes	se III of the Buchanan Marin Bikeway Project, which consists on from Cornell Avenue to San Pablo Avenue; implementing signal trians and bicyclists at the San Pablo/Marin intersection; In Iane and the through Iane in the eastbound direction of Marin ucting permanent curb and gutter with concrete.
Amount of claim: \$ 15,394	
Functional Description of Project:  This project is the last phase of the Buchanan Marin B bicycle network between the Ohlone Greenway and the	icycle and Pedestrian Bicycle project that will close the exit sting gap in the Bay Trail.
construction, inspection, contingency, audit). Use the future funding of the project. If the project is a segme the other segments.	ing requested (e.g., planning, environmental, engineering, right-of-way, table below to show the project budget. Include prior and proposed nt of a larger project, include prior and proposed funding sources for
Project Elements:	
Design of bicycle lanes, Bicycle and Pedestrian signal hea	d, intersection bulb outs.

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$15,394			\$ 15,394
list all other sources:					
1. BTA Grant	\$ 92,415				\$ 92,415
3.					
4.					
Totals	\$ 92,415	\$ 15,394			\$107,809

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).	Yes	
В.	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? (If "NO," provide an explanation).	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	Yes	

include construction).	
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year)	Yes
Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such tenance by another agency? (If an agency other than the Claimant is to maintain the facility provide its name: )	Yes



## City of Albany

1000 San Pablo Avenue • Albany, California 94706 (510) 528-5710 • www.albanyca.org

#### **RESOLUTION NO. 2013-21**

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 6th day of May, 2013, by the following votes:

AYES: Council Members Atkinson, Barnes, Maass, Vice Mayor Wile & Mayor

Thomsen

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 7th

Day of May, 2013.

Eileen Harrington

DEPUTY CITY CLERK

Eleen Harrington