

RESOLUTION NO. 03-71

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS
AUTHORIZING THE FILING OF AN APPLICATION WITH THE
METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF
TRANSPORTATION DEVELOPMENT ACT ARTICLE 3, PEDESTRIAN/BICYCLE
PROJECT FUNDING
FOR FISCAL YEAR 2003-2004**

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 Los Altos 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 Los Altos 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 Los Altos to carry out the project; and furthermore, be it

RESOLVED, that the City of Los Altos 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 Santa Clara County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

I HEREBY CERTIFY that the foregoing resolution was duly introduced and adopted by the City Council of the City of Los Altos at a meeting thereof held on the 8th day of April 2003, by the following roll call vote:

AYES: Mayor Casto, Mayor Pro Tem Becker, Councilmembers La Poll, Lear, and Moss

NOES: None

ABSENT: None


Louis Becker, Mayor Pro Tem

Attest:


Carol Scharz, City Clerk

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Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2003/04 Transportation Development Act. Article 3. Pedestrian/Bicycle Project Funding

Findings

1. That the City of Los Altos 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 Los Altos legally impeded from undertaking the projects described in "Attachment B" of this resolution.
2. That the City of Los Altos has committed adequate staffing resources to complete the projects described on Attachment B.
3. A review of the projects described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right permits and clearances, attendant to the successful completion of the projects.
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 projects described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), and that the City of Los Altos is in possession of the document(s) supporting such compliance, said document(s) having been made available to for public review and stamped by the County Clerk or County Recorder of the county in which the claimant is located.
6. That as portrayed in the budgetary descriptions of the projects in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project.
7. That the project 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 Los Altos within the prior five fiscal years.
8. That the project 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 described in Attachment B are ready to commence implementation during the fiscal year of the requested allocation.
11. That the City of Los Altos agrees to maintain, or provide for the maintenance of, the project and facilities described in Attachment B, for the benefit of and use by the public.

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Attachment B

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2003/2004 Applicant: City of Los Altos

Contact person: Larry Lind

Mailing Address: One North San Antonio Road, Los Altos, CA. 94062

E-Mail Address: larry.lind@ci.los-altos.ca.us Telephone: (650) 947-2624

Secondary Contact (in event primary not available) Jim Porter

E-Mail Address: jim.porter@ci.los-altos.ca.us Telephone: (650) 947-2622

Short Title Description of Project: Fremont Avenue Sidewalk, Phase III

Amount of claim: \$15,781

Functional Description of Project:

Funds to be used for the 2002-2003 Capital Improvement Project, Fremont Avenue Sidewalk, Phase III. This is the final phase to build a sidewalk to link Fremont Avenue area residence with Loyola School.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, construction management, contingency). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments (make certain the use of the currently requested funding is made clear in the "Project Elements" section below, and include any other clarifying information on the next page).

Project Elements: Fremont Avenue Sidewalk, Phase III

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3	\$32,516	\$15,781			\$48,297
VTA BEP:					
City Funds		\$5,703			\$5,703
Totals	\$32,516	\$21,484			\$54,000

Project Eligibility:	YES?/NO
A. Has the project been approved by the claimant's governing body? (If "NO," on the next page provide the approximate date approval is anticipated).	YES
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on the next page.	YES
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 at: http://www.dot.ca.gov/hq/oppd/hdm/chapters/t1001.htm).	N/A
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation on the next page).	NO
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? (If "NO" provide an explanation on the next page; and note that MTC cannot allocate funds to a project which lacks environmental clearance).	NO
F. Will the project be completed within the three fiscal year time period (including the fiscal year of funding) after which the allocation expires? Enter the anticipated completion date of project (month and year) <u>December 2004</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

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Attachment B

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**TDA Article 3 Project Application Form
Explanatory Comments Page**

Short Title Description of Project: Fremont Avenue Sidewalk, Phase III

A. The City has accumulated and reprogrammed pervious TDA grants into a project to complete a sidewalk along Fremont Avenue. These previous funds along with this new grant should give the City sufficient funds for the project. The City intends to have these funds expended by June 30, 2004.

D. Since this project in a bike project, it was not discuss with the City's Bicycle Advisory Committee.

E. The City has determined that the project is categorically exempt and has submitted the documents to the County. The City will submit to VTA the stamped document upon receipt from the County.