

RESOLUTION NO. 04-11

**REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR
THE ALLOCATION OF FISCAL YEAR 2004-05 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 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 the Regular Meeting of Los Altos City Council on the 13th day of April, 2004, by the following vote:

AYES: COLE, PACKARD, CASAS, LEAR, MOSS
NOES: NONE
ABSENT: NONE



JOHN MOSS, MAYOR



SUSAN KITCHENS, CITY CLERK

RESOLUTION NO. 04-11

Attachment A

page 1 of 2

**REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR
THE ALLOCATION OF FISCAL YEAR 2004-05 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 project(s) described in "Attachment B" of this resolution.
2. That the **City of Los Altos** has committed adequate staffing resources to complete the project(s) described on 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.), 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 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 Los Altos** 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.).

RESOLUTION NO. 04-11

Attachment A

page 2 of 2

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 Los Altos** 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.

RESOLUTION NO. 04-11

Attachment B

page 1 of 3

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2004/2005 Applicant: City of Los Altos

Contact person: Vivian Ma

Mailing Address: One North San Antonio Road, Los Altos, CA 94022

E-Mail Address: vivian.ma@ci.los-altos.ca.us Telephone: (650) 947-2628

Secondary Contact (in event primary not available) Larry Lind

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

Short Title Description of Project: Foothill Expressway Fence at Lincoln Park

Amount of claim: \$17,580

Functional Description of Project:
Replace approximately 2,800 lineal feet of fence to protect pedestrians at Lincoln Park from Foothill Expressway.

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: Engineering, construction, construction management, contingency

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3	-	\$17,580	-	-	\$17,580
list all other sources:					
1. Santa Clara County	\$75,000	-	-	-	\$75,000
2. City of Los Altos	-	\$62,420	-	-	\$62,420
3.					
4.					
Totals	\$75,000	\$80,000	-	-	\$155,000

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.	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 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

RESOLUTION NO. 04-11

Attachment B

page 2 of 3

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 and 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>June 2005</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

RESOLUTION NO. 04-11

Attachment B

page 3 of 3

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

Short Title Description of Project: Foothill Expressway Fence at Lincoln Park

Enter explanatory comments below, as required due to certain "YES" or "NO" answers to items "A" through "G" on the Project Application Form, or to provide information that will not fit on the application form, or to provide information that will clarify any potential confusion concerning the scope, cost or schedule of the project.

D. Since this is a pedestrian project, it is not being discussed 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.