

RESOLUTION NO. 126-08

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AUTHORIZING THE FILING OF A GRANT APPLICATION FOR STATE OF
CALIFORNIA TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS
FOR THE PURPOSE OF DEVELOPING A CITYWIDE BICYCLE PLAN.**

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/or 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 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 Richmond desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the preparation of a Bicycle Plan for the City of Richmond which would be for the exclusive benefit of bicycle riders in the City of Richmond.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Richmond:

1. Declares that it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.
2. There is no pending or threatened litigation that might adversely affect the development of a Bicycle Plan or that might impair the ability of the City of Richmond to carry out the project.
3. Commits that the City of Richmond will provide matching funds in an amount of no less than \$20,000 used to support the preparation of the updated Circulation Element of the General Plan which the proposed Bicycle Plan is to be a part and parcel of.
4. Attests to the accuracy of and approves the statements in Attachment A to this Resolution.
5. Directs the City Clerk to forward a certified copy of this resolution, attachments and any supporting materials to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of Contra Costa County for submission to MTC as a part of the countywide coordinated TDA Article 3 claim.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a meeting held on November 18, 2008 by the following vote:

AYES: Councilmembers Bates, Butt, Lopez, Rogers, Sandhu, Thurmond, Viramontes, and Mayor McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: Councilmember Marquez

DIANE HOLMES
Clerk of the City of Richmond

[SEAL]

APPROVED:

GAYLE McLAUGHLIN
Mayor

APPROVED AS TO FORM:

RANDY RIDDLE
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Resolution No. 126-08, finally passed and adopted by the Council of the City of Richmond at a meeting held on November 18, 2008.

RESOLUTION 126 -08
ATTACHMENT A

RE: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2009/2010 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding.

1. That the City of Richmond is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation Transportation Development Act (TDA) Article 3 funds, nor is the City of Richmond legally impeded from undertaking the project described in Attachment B of this Resolution.
2. That the City of Richmond has committed adequate staffing resources to complete the project described in Attachment B.
3. Review of the project described in Attachment B has covered all pertinent matters, including those related to environment and right-of-way permits and clearances, attendant to the successful completion of the project.
4. Issues attendant to securing environmental and right-of-way permits and clearances for the project 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 described in Attachment B will comply with the requirements of the California Environmental Quality Act (Public Resources Code Sections 21000 et seq).
6. That as portrayed in the budgetary description of the project 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 is 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 or 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 allocation of TDA Article 3 funding for such a plan has not been received by the City of Richmond within the prior five fiscal years.
8. That the project described in Attachment B is a bicycle project will be 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 is ready to commence implementation during the fiscal year of the requested allocation.
11. That the City of Richmond agrees to maintain, or provide for the maintenance of, the project and/or facilities described in Attachment B for the benefit and use of the public.