

RESOLUTION NO. 9-10

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND
AUTHORIZING THE CITY ENGINEER TO SUBMIT AN APPLICATION TO THE
METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF
FISCAL YEAR 2010/2011 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3
PEDESTRIAN/BICYCLE PROJECT FUNDING FOR THE CONSTRUCTION OF THE
BAY TRAIL GAP CLOSURE PROJECT BETWEEN BRICKYARD COVE AND
SHIPYARD #3.**

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 Richmond 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 Richmond declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and

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 resolution, or that might impair the ability of City of Richmond to carry out the project; and

BE IT FURTHER RESOLVED that the City of Richmond attests to the accuracy of and approves the statements in Attachment A to this resolution; and

BE IT FURTHER RESOLVED that the City Council authorizes the City Engineer to apply for and to appropriate TDA Grant funds and to execute all documents necessary to complete the project described in Attachment B; and

BE IT FURTHER 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 Contra Costa County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

I hereby certify that the foregoing resolution of the Council of the City of Richmond was duly passed and adopted at the regular meeting thereof held February 2, 2010 by the following vote:

AYES: Councilmembers Bates, Butt, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin.

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Lopez.

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. 9-10**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on February 2, 2010.