Metropolitan Transportation Commission

Transportation Development Act (TDA) Article 3 Funds

Bicycle and Pedestrian Projects

This document contains two model resolutions. The first is for use by claimants and shall be submitted to their county’s TDA Article 3 administrator. The first model resolution also contains the application form (Attachment B) that must be completed for each project for which funds are being claimed. The second resolution is for use by the county administrator of TDA Article3 when adopting the projects to be funded for the fiscal year.

**Instructions for the Use of the Model Governing Body Resolution by Claimants**

*(A model resolution follows these instructions)*

The model resolution contains four parts:

1. Abstract of the purpose of the resolution (optional)

2. Body of the Resolution

3. Attachment A to the Resolution – Required Findings

4. Attachment B to the Resolution – MTC Claim Form(s)

All TDA Article 3 claimants should use this model resolution since it includes proper wording for findings to be made by the claimant.

One resolution may be used for requesting allocations for multiple projects.

A claimant may reformat the resolution for administrative purposes, but any wording changes should be approved by MTC in advance.

Attachment A, the “Findings,” must be included as part of the resolution. If you have questions about revising any of the text in the resolution or in Attachment A, or altering any of the findings, please contact MTC for prior approval.

For attachment B – Local Congestion Management agency or county-approved forms may be used in lieu of MTC’s standard format if basic identifying information about the project and the project sponsor is included. A separate “Project Application” form must be used for each project. If the claim covers multiple projects, the multiple projects still constitute only one Attachment B. In other words, Attachment B can be multiple pages, and the total number of pages of Attachment B is the total number of pages of all of the “Project Application” forms (including any accompanying pages).

Where you see INSERT NUMBER, insert – in black type – the number you assign to the resolution.

Where you see INSERT NAME OF CLAIMANT, insert – in upper and lower case black type – the official name of the city or county (e.g., “the City of Oakland,” “the County of Solano”).

Where you see INSERT NAME OF COUNTY, insert – in upper and lower case black type – the name of the county from which the claim is being submitted (e.g., “Napa County”).

Resolution No. **INSERT NUMBER**

Abstract [Optional]

This resolution approves the request to the Metropolitan Transportation Commission by the **INSERT NAME OF CLAIMANT** for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year **INSERT FISCAL YEAR**.

Resolution No. **INSERT NUMBER**

Re: Request to the Metropolitan Transportation Commission for the allocation of fiscal year **INSERT FISCAL YEAR** 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.4108, entitled “Transportation Development Act, Article 3, Pedestrian and Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

 WHEREAS, MTC Resolution No. 4108 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 **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** to carry out the project;and furthermore, be it

**[Choose one of the following clauses]**

 RESOLVED, that the project has been reviewed by the Bicycle Advisory Committee (BAC) of **INSERT NAME OF CLAIMANT**

**OR**

RESOLVED, that the project has been reviewed by the countywide Bicycle Advisory Committee and has been approved by MTC to use the countywide BAC and the countywide BAC provides for expanded representation of **INSERT NAME OF CLAIMANT** and the designated representative/s is/are **[Choose one]** familiar with the bicycle and pedestrian needs of **INSERT NAME OF CLAIMANT**

; and furthermore, be it

 RESOLVED, that the **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF COUNTY** for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

The INSERT NAME OF CLAIMANT adopted this resolution on **INSERT DATE.**

AYES:

NAYS:

Certified to by (signature):

 **TYPE NAME OF CERTIFYING INDIVIDUAL HERE**

Resolution No. **INSERT NUMBER**

Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

# Findings

Page 1 of 1

1. That the **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.

2. That the **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** within the prior five fiscal years.

8. That the project(s) described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.

9. That any project described in Attachment B that is a 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 will be completed before the funds expire.

11. That the **INSERT NAME OF CLAIMANT** 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. INSERT NUMBER

Attachment B

page INSERT Page NUMBER of INSERT Total Page NUMBERs

TDA Article 3 Project Application Form

Fiscal Year of this Claim: Applicant:

Contact person:

Mailing Address:

E-Mail Address: Telephone:

Secondary Contact (in event primary not available)

E-Mail Address: Telephone:

**Short Title Description of Project:**

Amount of claim: $

**Functional Description of Project:**

**Financial Plan:**

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

**Project Elements:**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Funding Source** | **All Prior FYs** | **Application FY** | **Next FY** | **Following FYs** | **Totals** |
| TDA Article 3 |  |  |  |  |  |
| list all other sources: |  |  |  |  |  |
| 1.  |  |  |  |  |  |
| 2.  |  |  |  |  |  |
| 3. |  |  |  |  |  |
| 4.  |  |  |  |  |  |
| **Totals** |  |  |  |  |  |

|  |  |
| --- | --- |
| **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). |  |
| **B.** Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page. |  |
| **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: http://www.dot.ca.gov). |  |
| **D.** Has the project been reviewed by a Bicycle Advisory Committee (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |
| **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 include construction). |  |
| **F.** Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year)  |  |
| **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:  ) |  |

**Instructions for the Use of the Model Resolution for Use by Countywide Agencies for Submittal of the Countywide Coordinated Claim**

A copy of the resolution follows these instructions.

The county administrator may reformat the resolution for administrative purposes, but any wording changes should be approved by MTC in advance.

Attachment A, the prioritized list of projects, must be completed and included as part of the resolution.

Where you see INSERT NUMBER, insert – in black type – the number you assign to the resolution.

Where you see INSERT NAME OF COUNTY, insert – in upper and lower case black type – the name of the county from which the claim is being submitted (e.g., “Napa County”).

Where you see INSERT NAME OF COUNTYWIDE AGENCY, insert – in upper and lower case black type – the name of the agency from which the claim is being submitted (e.g., “Napa County Transportation Planning Agency,” “Solano Transportation Authority,” “Contra Costa County Board of Supervisors,” “Santa Clara Valley Transportation Authority”).

Resolution No. **INSERT NUMBER**

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in **INSERT NAME OF COUNTY**

 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. 4108, which delineates procedures and criteria for submission of requests for the allocation of TDA Article 3 funds; and

 WHEREAS, MTC Resolution No. 4108 requires that requests from eligible claimants for the allocation of TDA Article 3 funds be submitted as part of a single, countywide coordinated claim, composed of certain required documents; and

 WHEREAS, the **INSERT NAME OF COUNTYWIDE AGENCY** has undertaken a process in compliance with MTC Resolution No. 4108 for consideration of project proposals submitted by eligible claimants of TDA Article 3 funds in **INSERT NAME OF COUNTY**, and a prioritized list of projects, included as Attachment A of this resolution, was developed as a result of this process; and

 WHEREAS, each claimant in **INSERT NAME OF COUNTY** whose project or projects have been prioritized for inclusion in the fiscal year **INSERT FISCAL YEAR** TDA Article 3 countywide coordinated claim, has forwarded to the **INSERT NAME OF COUNTYWIDE AGENCY** a certified copy of its governing body resolution for submittal to MTC requesting an allocation of TDA Article 3 funds; now, therefore, be it

 RESOLVED, that the **INSERT NAME OF COUNTYWIDE AGENCY** approves the prioritized list of projects included as Attachment A to this resolution; and furthermore, be it

 RESOLVED, that the **INSERT NAME OF COUNTYWIDE AGENCY** approves the submittal to MTC, of the **INSERT NAME OF COUNTY** fiscal year **INSERT FISCAL YEAR** TDA Article 3 countywide, coordinated claim, composed of the following required documents:

A. transmittal letter

B. a certified copy of this resolution, including Attachment A;

C. one copy of the governing body resolution and required attachments, for each claimant whose project or projects are the subject of the coordinated claim;

D. a description of the process for public and staff review of all proposed projects submitted by eligible claimants for prioritization and inclusion in the countywide, coordinated claim;

This resolution was adopted by **INSERT NAME OF COUNTYWIDE AGENCY** on **INSERT DATE.**

AYES: NAYS:

Certified to by (signature):

 **TYPE NAME OF CERTIFYING INDIVIDUAL HERE**

Resolution No. **INSERT NUMBER**

Attachment A

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in **INSERT NAME OF COUNTY**

**Prioritized List of Projects**

|  |  |  |  |
| --- | --- | --- | --- |
|  | **Short Title Description of Project** | **TDA Article 3 Amount** | **Total Project Cost** |
| 1. |  |  |  |
| 2. |  |  |  |
| 3. |  |  |  |
| 4. |  |  |  |
| 5. |  |  |  |
| 6. |  |  |  |
| 7. |  |  |  |
| 8. |  |  |  |
| 9. |  |  |  |
| 10. |  |  |  |
| 11. |  |  |  |
| 12. |  |  |  |
|  | **Totals** |  |  |