

## **RESOLUTION NO. 20-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES APPROVING A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2020-2021 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 City of Hercules 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** by the City Council of the City of Hercules:

**Section 1.** That the City of Hercules declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.

**Section 2.** 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 Hercules to carry out the project.

**Section 3.** 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 City of Hercules and the designated representatives are familiar with the bicycle and pedestrian needs of the City of Hercules.

**Section 4.** That the City of Hercules attests to the accuracy of and approves the statements in Attachment A to this Resolution.

**Section 5.** 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.

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 14<sup>th</sup> day of January, 2020 by the following vote of the Council:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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Roland Esquivias, Mayor

ATTEST:

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Lori Martin, Administrative Services Director/  
City Clerk

## **Attachment A**

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2020-2021 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

### **Findings**

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1. That the City of Hercules 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 Hercules legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the City of Hercules 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 City of Hercules 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 City of Hercules 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.

## City of Hercules Willow-Palm TDA Grant Application

### TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2020/2021      Applicant: City of Hercules

Contact person: Michael Roberts, City Engineer/Public Works Director

Mailing Address: 111 Civic Drive Hercules CA 94547

E-Mail Address: mikeroberts@ci.hercules.ca.us      Telephone: (510)799-8241

Secondary Contact (in event primary not available) Jose Pacheco, Assistant Engineer

E-Mail Address: josepacheco@ci.hercules.ca.us      Telephone: (510)799-8247

**Short Title Description of Project:**

Amount of claim: \$100,000

#### Functional Description of Project:

The Willow/Palm Sidwalk Project consists of much needed pedestrian improvements that are proposed to be built on the north side of Willow Avenue, extending east from the existing Hercules Transit Center to the Willow/Palm Avenue intersection where it will connect to existing pedestrian facilities on Willow. From there, the Project will extend south on the west side of Palm Avenue, running under the Union Pacific rail line, to the Palm/Sycamore Avenue intersection, where the Project will connect to the existing pedestrian trail system on Sycamore Avenue. Currently there are no pedestrian facilities linking the southeast side of Hercules to the Hercules Transit Center. Pedestrians have to walk in the street or in the dirt which is on the edge of a slope and is uneven and vegetated.

#### 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: \$100,000 for construction in FY 20-21. Planning & Engineering with local funds in prior years.

Funding Source	All Prior FYs	FY 20-21	FY 21-22	FY 22-23	Totals
TDA Article 3		\$100,000			\$100,000
list all other sources:					
1. Measure J TLC		\$1,058,000			\$1,058,000
2. Other Local		\$161,000			\$161,000
3.					
4.					
<b>Totals</b>		\$1,319,000			\$1,319,000

Project Eligibility:	YES?/NO?
<b>A.</b> Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	Yes
<b>B.</b> Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
<b>C.</b> 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: <a href="http://www.dot.ca.gov">http://www.dot.ca.gov</a> ). <b>Currently shared roadway, plan to widen road for Class 2 Bicycle Lanes in next phase. At this time, pedestrians do not have facilities to walk on.</b>	Not applicable. The project is a sidewalk.
<b>D.</b> 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: December 9, 2019	Yes
<b>E.</b> 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).	Yes 12/08/16
<b>F.</b> Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <b>December 2020.</b>	Yes
<b>G.</b> 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: <b>City of Hercules to maintain</b>	Yes

