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Active Transportation Advisory Committee (ATAC)

AGENDA

**Monday, April 22, 2013
5:00 p.m.**

**625 Burnell Street
Napa CA 94559**

General Information

All materials relating to an agenda item for an open session of a regular meeting of the Active Transportation Advisory Committee (ATAC) which are provided to a majority or all of the members of the ATAC by ATAC members, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the office of the Secretary of the ATAC, 625 Burnell Street, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for NCTPA holidays. Materials distributed to a majority or all of the members of the ATAC at the meeting will be available for public inspection at the public meeting if prepared by the members of the ATAC or staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

Members of the public may speak to the ATAC on any item at the time the ATAC is considering the item. Please complete a Speaker's Slip, which is located on the table near the entryway, and then present the slip to the ATAC Secretary. Also, members of the public are invited to address the ATAC on any issue not on today's agenda under Public Comment. Speakers are limited to three minutes.

This Agenda shall be made available upon request in alternate formats to persons with a disability. Persons requesting a disability-related modification or accommodation should contact the Administrative Assistant, at (707) 259-8631 during regular business hours, at least 48 hours prior to the time of the meeting.

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ITEMS

1. Call to Order
2. Introductions
3. Approval of Meeting Minutes - March 25, 2013
4. Public Comments
5. ATAC Member and Staff Comments

REGULAR AGENDA ITEMS**RECOMMENDATION**

6.	FY 2013-14 TDA-3 Call for Projects (Draft) (Eliot Hurwitz) Committee members will discuss the TDA-3 program and prospects for FY 2013-14.	INFORMATION/ ACTION
7.	Topics for Next Meeting o Discussion of topics for next meeting by ATAC members	DISCUSSION
8.	Approval of Next Regular Meeting Date of May 27, 2013 and Adjournment	APPROVE



April 22, 2013
ATAC Agenda Item 6
Continued From: NEW
Action Requested: INFORMATION/ACTION

NAPA COUNTY TRANSPORTATION AND PLANNING AGENCY ATAC Agenda Letter

TO: Active Transportation Advisory Committee (ATAC)
REPORT BY: Eliot Hurwitz, Project Manager
(707) 259-8782 / Email: ehurwitz@nctpa.net
SUBJECT: Transportation Development Act Article 3 (TDA-3) Call for Projects
(Draft)

RECOMMENDATION

That ATAC review the Transportation Development Act Article 3 (TDA-3) program, the projected fund balances, discuss establishment of a process for establishing project priorities and review the call for projects (draft).

EXECUTIVE SUMMARY

TDA- 3 funds are restricted to engineering and construction of bicycle and pedestrian projects. Funds can also be used every five years for comprehensive bicycle and pedestrian plans. The funds are generated by a statutory two percent set-aside of the full TDA amount. Unallocated funds roll over and accumulate. The Metropolitan Transportation Commission (MTC) accepts project applications annually. Projects must be completed within two (2) years plus the fiscal year of application.

FISCAL IMPACT

Is there a Fiscal Impact? Yes. \$296,065 in TDA-3 funds are available for allocation in FY 13/14.

SUPPORTING DOCUMENTS

Attachments: (1) FY 13-14 TDA Fund Estimate
(2) MTC Resolution 875 Revised
(3) TDA-3 Call for Projects FY 2013-14 (Draft)
(4) TDA-3 Claim Forms

FY 2013-14 FUND ESTIMATE TRANSPORTATION DEVELOPMENT ACT FUNDS NAPA COUNTY										
FY 2012-13 TDA Revenue Estimate Adjustment					FY 2013-14 TDA Estimate					
FY 2012-13 Generation Estimate Adjustment					FY 2013-14 County Auditor's Generation Estimate					
1. Original County Auditor Estimate (Feb, 11)			6,180,000		13. County Auditor Estimate				6,695,000	
2. Revised County Auditor Estimate (Feb, 11)			6,500,000		FY 2013-14 Planning and Administration Charges					
3. Revenue Adjustment (Lines 2-1)				320,000	14. MTC Administration (0.5% of Line 13)				33,475	
FY 2012-13 Planning and Administration Charges Adjustment					15. County Administration (0.5% of Line 13)				33,475	
4. MTC Administration (0.5% of Line 3)			1,600		16. MTC Planning (3.0% of Line 13)				200,850	
5. County Administration (0.5% of Line 3)			1,600		17. Total Charges (Lines 14+15+16)				267,800	
6. MTC Planning (3.0% of Line 3)			9,600		18. TDA Generations Less Charges (Lines 13-17)				6,427,200	
7. Total Charges (Lines 4+5+6)				12,800	FY 2013-14 TDA Apportionment By Article					
8. Adjusted Generations Less Charges (Lines 3-7)				307,200	19. Article 3.0 (2.0% of Line 18)				128,544	
FY 2012-13 TDA Adjustment By Article					20. Funds Remaining (Lines 18-19)				6,298,656	
9. Article 3 Adjustment (2.0% of line 8)			6,144		21. Article 4.5 (5.0% of Line 20)				314,933	
10. Funds Remaining (Lines 8-9)				301,056	22. TDA Article 4 (Lines 20-21)				5,983,723	
11. Article 4.5 Adjustment (5.0% of Line 10)			15,053							
12. Article 4 Adjustment (Lines 10-11)				286,003						
TDA APPORTIONMENT BY JURISDICTION										
Column	A	B	C=Sum(A:B)	D	E	F	G	H=Sum(C:G)	I	J=Sum(H:I)
	6/30/2012	FY 2011-12	6/30/2012	FY 2011-13	FY 2012-13	FY 2012-13	FY 2012-13	6/30/2013	FY 2013-14	FY 2013-14
Apportionment Jurisdictions	Balance (w/o interest)	Interest	Balance (w/interest) ¹	Outstanding Commitments ²	Transfers/ Refunds	Original Estimate	Revenue Adjustment	Projected Carryover	Revenue Estimate	Available for Allocation
Article 3	606,089	4,632	610,721	(568,000)	0	118,656	6,144	167,521	128,544	296,065
Article 4.5	37,533	334	37,867	(305,457)	0	290,707	15,053	38,170	314,933	353,103
SUBTOTAL	643,622	4,966	648,588	(873,457)	0	409,363	21,197	205,691	443,477	649,168
Article 4/8										
NCTPA ³	13,574,066	99,130	13,673,197	(12,818,497)	0	5,523,437	286,003	6,664,140	5,983,723	12,647,863
SUBTOTAL	13,574,066	99,130	13,673,197	(12,818,497)	0	5,523,437	286,003	6,664,140	5,983,723	12,647,863
GRAND TOTAL	\$14,217,688	\$104,096	\$14,321,785	(\$13,691,954)	\$0	\$5,932,800	\$307,200	\$6,869,831	\$6,427,200	\$13,297,031

1. Balance as of 6/30/12 is from MTC FY 2011-12 Audit, and it contains both funds available for allocation and funds that have been allocated but not disbursed.
2. The outstanding commitments figure includes all unpaid allocations as of June 30, 2012, and FY 2012-13 allocations as of January 31, 2013.
3. NCTPA is authorized to claim 100% of the apportionment to Napa County.

**ATTACHMENT 2
ATAC Agenda Item 6
April 22, 2013**

TDA 3 Rules and Procedures

Date: November 26, 1980
W.I.: 51410
Referred By: GR&AC
Revised: 11/24/82-C 11/26/86-C
 09/23/87-C 03/24/88-C
 12/18/91-C 11/25/92-C
 01/28/98-C 09/27/00-C
 05/23/01-C 11/20/02-C
 04/28/04-C 03/23/05-C

ABSTRACT

Resolution No. 875, Revised

This resolution adopts the "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects" delineating procedures for submission of claims for Article 3 funding for pedestrian and bicycle facilities and stating criteria by which the claims will be evaluated as required by the Transportation Development Act in Public Utilities Code Section 99401.(a).

This resolution was revised November 24, 1982, to incorporate changes to the procedures and criteria recommended in the Regional Bicycle Plan, adopted September 22, 1982 and other changes.

This resolution was revised November 26, 1986 to incorporate changes in procedures and criteria required by SB 949 (Chapter 988, Statutes of 1986).

This resolution was revised September 23, 1987 to incorporate changes in procedures and criteria required by SB100 (Chapter 313, Statutes of 1987).

This resolution was revised March 24, 1988 to incorporate changes in procedures and criteria required by SB100 (Chapter 313, Statutes of 1987).

This resolution was revised on December 18, 1991 to incorporate changes in procedures and criteria required by State Transportation Control Measure 9 (adopted by MTC on November 28, 1990).

This resolution was revised on November 25, 1992 to incorporate changes in procedures and criteria required by AB 3090 (Chapter 1243, Statutes of 1992).

ABSTRACT

MTC Resolution No. 875, Revised

Page 2

This resolution was revised on January 28, 1998 to incorporate changes in procedures and criteria required by SB 506, the Senate Transportation Committee's annual Omnibus Bill Of Non-controversial And Technical Provisions (Chapter 619, Statues of 1997), as well as to make modifications to the procedures that reduce the amount of paperwork and processing for MTC and claimants, yet still meet state requirements and MTC's overall coordination, planning and funding objectives.

This resolution was revised on September 27, 2000 to incorporate changes in procedures required by changes in MTC's annual fund estimate procedures and schedule.

This resolution was revised on May 23, 2001 to eliminate the requirement for an attorney certification of projects and instead to specify certain findings to be included in the agency resolutions.

This resolution was revised on November 20, 2002 to clarify the eligibility of joint powers agencies to apply for funds, to clarify the location of reference documents for safety design criteria and for TDA program information, and specify the timing and sequence of steps for approving applications and for requesting reimbursement of costs incurred.

This resolution was revised on April 28, 2004 to reflect delegated authority to the Executive Director by Resolution No. 3620 for approval of allocations and rescissions of TDA funds under certain conditions, and at the same time to clarify the acceptable age limit for CEQA documentation, and specify that more than one allocation can be issued for a single bicycle or pedestrian plan.

This resolution was revised on March 23, 2005 to specify which projects require environmental documents, clarify role of countywide bicycle advisory committee review of bike projects, require self-certification of safety standards compliance and implementation schedules, and to modify procedures for rescission and subsequent reallocation of TDA funds under certain conditions.

Further discussion of these procedures and criteria are contained in the MTC "Staff Evaluations" dated November 20, 1986, March 10, 1988, December 6, 1991, October 30, 1992, January 14,

ABSTRACT
MTC Resolution No. 875, Revised
Page 3

1998, September 13, 2000, May 9, 2001, November 13, 2002, April 14, 2004, and March 2, 2005.

Date: November 26, 1980
W.I.: 1002.30.01
W.A.: 1293R
Referred By: GR&AC

RE: Transportation Development Act. Article 3. Pedestrian/Bicycle Projects.

METROPOLITAN TRANSPORTATION COMMISSION

RESOLUTION NO. 875

WHEREAS, the Transportation Development ACT, Public Utilities Code (PUC) Section 99200 et seq., requires the Transportation Planning Agency to adopt rules and regulations delineating procedures for the submission of claims for funding for pedestrian and bicycle facilities (Article 3, PUC Section 99233.3); state criteria by which the claims will be analyzed and evaluated (PUC Section 99401(a); and to prepare a priority list for funding the construction of pedestrian and bicycle facilities (PUC Section 99234(b)); and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the Transportation Planning Agency for the San Francisco Bay Region, adopted MTC Resolution No. 875 entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects", that delineates procedures and criteria for submission of claims for Article 3 funding for pedestrian bicycle facilities; and

WHEREAS, MTC desires to update said procedures to allow the Association of Bay Area Governments (ABAG) to receive a one-time payment of Article 3 funds from each county to prepare a plan for a bicycle and hiking trail around San Francisco Bay and mandated by Senate Bill 100 (Chapter 313, Statutes of 1987).

RESOLVED, that the attached Attachment A shall supersede the procedure previously adopted by MTC; and be it further

RESOLVED, that MTC Resolution No. 762 is rescinded and is superseded by this resolution.

METROPOLITAN TRANSPORTATION COMMISSION

William R. "Bill" Lucius, Chairman

The above resolution was
entered into by the
Metropolitan Transportation
Commission at a regular meeting
of the Commission held in
Oakland, CA, on November 26, 1980

Date: November 26, 1980
W.I.: 51410
Referred By: GR&AC
Revised: 11/24/82-C 11/26/86-C
09/23/87-C 03/24/88-C
12/18/91-C 11/25/92-C
01/28/98-C 09/27/00-C
05/23/01-C 11/20/02-C
04/28/04-C 03/23/05-C

Attachment A
Resolution No. 875, Revised
Page 1 of 7

TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3,
PEDESTRIAN/BICYCLE PROJECTS
Procedures and Project Evaluation Criteria

PROCEDURES

Eligible Claimants

The Transportation Development Act (TDA), Public Utilities Code Sections 99233.3 and 99234, makes funds available in the nine-county Metropolitan Transportation Commission (MTC) Region for pedestrian/bicycle purposes. MTC makes annual allocations of TDA Article 3 funds to eligible claimants after review of applications submitted by counties or congestion management agencies.

All cities and counties in each of the nine MTC region counties are eligible to claim funds under TDA Article 3. Joint powers agencies are also eligible.

Application

1. Counties or congestion management agencies will be responsible for putting together an annual program of projects, which they initiate by contacting the county and all cities and joint powers agencies within their jurisdiction and encouraging submission of project applications.
2. Claimants will send one or more copies to the county or congestion management agency (see "Priority Setting" below).
3. A project is eligible for funding if:
 - a. The project sponsor submits a resolution of its governing board that addresses the following six points:
 1. There are no legal impediments regarding the project.
 2. Jurisdictional or agency staffing resources are adequate to complete the project.

3. There is no pending or threatened litigation that might adversely affect the project or the ability of the project sponsor to carry out the project.
 4. Environmental and right-of-way issues have been reviewed and found to be in such a state that fund obligation deadlines will not be jeopardized.
 5. Adequate local funding is available to complete the project.
 6. The project has been conceptually reviewed to the point that all contingent issues have been considered.
-
- b. the project is construction and/or engineering of a capital project; is to maintain a Class I bikeway which is closed to motorized traffic; is for a bicycle safety education program; is to develop comprehensive bicycle or pedestrian facilities plans (allocations to a claimant for this purpose may not be made more than once every five years); or for the purposes of restriping Class II bicycle lanes.
 - c. the claimant is eligible to claim TDA Article 3 funds under Section 99233.3 of the Public Utilities Code;
 - d. if it is a Class I, II or III bikeway project it meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page); or if it is a pedestrian facility, it meets the mandatory minimum safety design criteria published in Chapter 100 of the California Highway Design Manual (Available via Caltrans headquarters' World Wide Web page);
 - e. the project is ready to implement within the next fiscal year;
 - f. *if the project includes construction, that it* meets the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.) and project sponsor submits an environmental document that has been stamped by the County Clerk within the past three years.
 - g. a jurisdiction agrees to maintain the facility.
 - h. the bicycle project is included in one or more of the following: a detailed bicycle circulation element or plan included in a general plan or an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).

Priority Setting

1. The county or congestion management agency shall establish a process for establishing project priorities in order to prepare an annual list of projects being recommended for funding. Each county and city is required to have a Bicycle Advisory Committee (BAC) to review and prioritize TDA Article 3 bicycle projects and to participate in the development and review of comprehensive bicycle plans. (BACs are mandated by State Transportation

Control Measure [STCM #9], adopted by MTC on November 28, 1990, MTC Resolution No. 2178, Revised).

A city BAC shall be composed of at least 3 members who live or work in the city. More members may be added as desired. They will be appointed by the City Council. The City or Town Manager will designate staff to provide administrative and technical support to the Committee.

Cities under 10,000 population who have difficulty in locating a sufficient number of qualified members, may apply to MTC for exemption from these requirements. Cities over 10,000 population may also apply to MTC for exemption from the city BAC requirement if they can demonstrate that the countywide BAC provides for expanded city representation.

A county BAC shall be composed of at least 5 members who live or work in the county. More members may be added as desired. The County Board of Supervisors and/or Congestion Management Agency (CMA) will appoint BAC members. The county or congestion management agency executive/administrator will designate staff to provide administration and technical support to the Committee.

(Note: The intent is that BACs be composed of bicyclists/pedestrians.)

2. The project lists developed by the City BACs shall be recommended to its City or Town Council. The Countywide Bicycle Advisory Committee will forward all city project lists to the County Public Works Department or congestion management agency for evaluation/prioritization. County Committees will, at a minimum, be responsible for evaluating *bicycle* projects within the unincorporated portions of the county and setting a countywide prioritization list (based on city and county project lists) for annual TDA Article 3 allocations. Either the Board of Supervisors or the Congestion Management Agency (CMA) will adopt the annual countywide list and forward it to MTC for approval.
3. The county or congestion management agency will forward to MTC a copy of the following:
 - a) Applications for the recommended projects, including a governing body resolution, stamped environmental document, and map for each, as well as a cover letter stating the total amount of money being claimed; *and confirmation that each project meets Caltrans' minimum safety design criteria and is ready to implement within the next fiscal year.*
 - b) the complete priority list of projects with an electronic version to facilitate grant processing.
 - c) an indication of how and when the projects were reviewed by city and county committees and representatives and what methods were used to contact interested members of the public; and

- d) a Board of Supervisors' or CMA resolution approving the priority list and authorizing the claim.

MTC Staff Evaluation

If a recommended project is eligible for funding, and falls within the overall TDA Article 3 fund estimate level for that county, staff will recommend that the project be approved.

Allocation

The Commission will approve the priority list and allocation of funds for the recommended projects. The County Auditor will be notified by allocation instructions to reserve funds for the approved projects. Claimants will be sent copies of the allocation instructions and instructions for claiming disbursement.

Disbursement

1. When costs are incurred, the claimant shall submit to MTC the following, a minimum of one month before the grant expiration date:
 - a) A copy of the allocation instructions along with a dated cover letter referring to the project by name, dollar amount and allocation instruction number and requesting disbursement of funds;
 - b) Documents showing that costs have been incurred during the period of time covered by the grant and, if applicable, that the project has been formally accepted as complete by the jurisdiction.
2. MTC will approve the disbursement and if the disbursement request was received in a timely fashion and the allocation instruction has not expired, been totally drawn down nor been rescinded, issue an authorization to the County Auditor to disburse funds to the claimant.

Rescissions

Funds will be allocated to claimants for specific projects, so transfers of funds to other projects sponsored by the same claimant may not be made. If a claimant has to abandon a project or cannot complete it within the time allowed, it should ask the county or congestion management agency to request that MTC rescind the allocation. Rescission requests may be submitted to and acted upon by MTC at any time during the year. If the funds that are rescinded are from a previous fiscal year, then those funds will be rolled over into the next fiscal year at the time that MTC adopts or revises the Fund Estimate.

Fiscal Audit

All claimants that have received an allocation of TDA funds are required to submit an annual certified fiscal and compliance audit to MTC and to the Secretary of Business and Transportation Agency within 180 days after the close of the fiscal year, in accordance with PUC Section 99245. Article 3 applicants need not file a fiscal audit if TDA funds were not expended (that is, costs incurred) during a given fiscal year. However, the applicant should file a statement for MTC's records certifying that no TDA funds were expended during the fiscal year. Failure to submit the required audit for any TDA article will preclude MTC from making a new Article 3 allocation. For example, a delinquent Article 4.5 fiscal audit will delay any other TDA allocation to the city/county with an outstanding audit. Until the audit requirement is met, no new Article 3 allocations or disbursements will be made.

For Further Information

Claimants are encouraged to develop their claims with the MTC staff at an early date so that the formal claim process can be expedited. If you have any questions regarding the application forms or related matters, please contact the MTC staff liaison who is responsible for Article 3. Copies of the Transportation Development Act and the related regulations in the California Administrative Code are available from the funding section of MTC's web page.

SUGGESTED CRITERIA

The counties or congestion management agencies should consider the following criteria along with any explicit criteria the county or congestion management agency deems necessary when evaluating projects for the countywide priority list.

The basic objectives of the MTC suggested criteria are to give priority to projects that increase the safety, security, and efficiency of bicycle and pedestrian travel, and to the extent practicable provide for a coordinated system.

Consideration should be given to projects that can demonstrate one or more of the following objectives: (Not listed in priority order.)

1. Elimination or improvement of an identified problem area (specific safety hazards such as high-traffic narrow roadways or barriers to travel) on routes that would otherwise provide relatively safe and direct bicycle or pedestrian travel use, given the character of the users. For example, roadway widening, shoulder paving, restriping or parking removal to provide space for bicycles; a bicycle/pedestrian bridge across a stream or railroad tracks on an otherwise useful route; a segment of Class I bicycle path to divert young bicyclists from a high traffic arterial; a pedestrian path to provide safe access to a school or other activity center; replacement of substandard grates or culverts; adjustment of traffic-actuated signals to make them bicycle sensitive. Projects to improve safety should be based on current traffic safety engineering knowledge.

2. Roadway improvements or construction of a continuous interconnected route to provide reasonably direct access to activity centers (employment, educational, cultural, recreational) where access did not previously exist or was hazardous. For example, development of Class I paths on continuous rights-of-way with few intersections (such as abandoned railroad rights-of-way) which lead to activity centers; an appropriate combination of Class I, Class II, and Class III bikeways on routes identified as high demand access routes; bicycle route signs or bike lanes on selected routes which receive priority maintenance and cleaning.
3. Secure bicycle parking facilities, especially in high use activity areas, at transit terminals, and at park-and-ride lots. Desirable facilities include lockers, sheltered and guarded check-in areas; self-locking sheltered racks that eliminate the need to carry a chain, and racks that accept U-shaped locks.
4. Other provisions that facilitate bicycle/transit trips. For example, bike racks on buses, paratransit/trailer combinations, and bicycle loan or check-in facilities at transit terminals.
5. Maintenance of Class I bikeways that are closed to motorized traffic or for the purposes of restriping Class II bicycle lanes (provided that the total amount for Class II bicycle lane restriping does not exceed twenty percent of the county's total TDA Article 3 allocation) where county policy supports the use of Article 3 funds for this purpose.
6. Projects identified in a recent (within five years) comprehensive local bicycle or pedestrian plan. We encourage counties to establish a five-year plan for bicycle projects.
7. Projects that enhance or encourage bicycle or pedestrian commutes.
8. Projects in jurisdictions that have bicycle safety education and law enforcement, distribution of bicycle route information, a bicycle parking plan, and priority maintenance of bikeways.
9. Projects which have documented local support in terms of requests for improvement from bicyclists, employers, employees, or residents in the area; or local effort in terms of funding or preliminary studies.
10. Projects that provide connection to and continuity with longer routes provided by other means or by other jurisdictions to improve regional continuity.
11. Bicycle Safety Education Programs. Up to five percent of a county's Article 3 fund may be expended to supplement monies from other sources to fund a bicycle safety education program and staffing. For a given bicycle safety education project, no more than 50 percent shall be funded with Article 3 funds.
12. Comprehensive Bicycles and Pedestrian Facilities Plan. Funds may be allocated for these plans (emphasis should be for accommodation of bicycle commuters rather than

recreational bicycle uses). A city or county would be eligible to receive allocations for these plans not more than once every five years.



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
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Oakland, CA 94607-4700
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Fax: 510.464.7848

Memorandum

TO: Grant Review and Allocations Committee

DATE: January 14, 1998

FR: Executive Director

RE: Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)

SB 506, which is the Senate Transportation Committee's annual omnibus bill of noncontroversial and technical provisions, has recently become law. Among many other things, this law expands the authorized use of local transportation funds that have been set aside for the exclusive use of pedestrians and bicycles (TDA Article 3). Under this bill, up to 20 percent of the monies are now available for allocation to cities and counties for the purposes of restriping Class II bicycle lanes.

Previously, restriping of bicycle lanes was considered an operating or maintenance expense and therefore ineligible for TDA Article 3, which is primarily for construction. Now, it is an eligible expense, provided that the total amount for Class II bicycle lane restriping does not exceed twenty percent of the county's total TDA Article 3 allocation.

Staff proposes revisions to MTC's Procedures and Project Evaluation Criteria (MTC Resolution No. 875, Revised) for TDA Article 3 funded pedestrian and bicycle projects in order to reflect the new eligibility requirements under SB 506. We have also proposed some modifications to the procedures that reduce the amount of paperwork and processing for MTC and claimants, yet still meet state requirements and our overall coordination, planning and funding objectives. In the resolution text, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles.

Staff recommends that GR&AC refer MTC Resolution No. 875, Revised to the Commission for approval.

Lawrence D. Dahms

LDD:MR
RES-0875.doc

Metropolitan Transportation Commission
Programming and Allocations Committee

September 13, 2000

Item Number 2g

Resolution No. 875, Revised

- Subject:** Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)
- Background:** Last year, MTC changed the way that it produces fund estimates for Transportation Development Act (TDA) Funds that are distributed to local applicants throughout the nine counties. In addition to the procedures by which these estimates are generated, the schedule was changed also.
- Staff proposes revisions to MTC's Procedures and Project Evaluation Criteria (MTC Resolution No. 875, Revised) for TDA Article 3 funded pedestrian and bicycle projects in order to reflect the new schedule for TDA fund estimates. We have also proposed some minor grammatical modifications to the procedures.
- In the resolution's Attachment A, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles.
- Issues:** None.
- Recommendation:** Refer MTC Resolution No. 875, Revised, to the Commission for approval as requested.
- Attachments:** Deputy Executive Director's Memorandum
MTC Resolution No. 875, Revised



METROPOLITAN
TRANSPORTATION
COMMISSION

Joseph P. Bort MetroCenter
101 Eighth Street
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Fax: 510.464.7848

Memorandum

TO: Programming and Allocations Committee

DATE: September 13, 2000

FR: Deputy Executive Director

RE: Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)

Last year, MTC changed the way that it produced fund estimates for Transportation Development Act (TDA) Funds that are distributed to local applicants throughout the nine counties. In addition to the procedures by which these estimates are generated, the schedule was changed also.

Staff proposes revisions to MTC's Procedures and Project Evaluation Criteria (MTC Resolution No. 875, Revised) for TDA Article 3 funded pedestrian and bicycle projects in order to reflect the new schedule for TDA fund estimates. We have also proposed some minor grammatical modifications to the procedures.

In the resolution text, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles.

Staff recommends that the Committee refer MTC Resolution No. 875, Revised to the Commission for approval.

Steve Heminger

LDD:MR
RES-0875.doc

Metropolitan Transportation Commission
Programming and Allocations Committee

May 9, 2001

Item Number 21

Resolution No. 875, Revised

Subject: Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)

Background: In order to reduce the expense and amount of paperwork submitted by project applicants, forwarded by the congestion management agencies, and then processed by MTC, San Mateo County's congestion management agency (C/CAG) has suggested that by incorporating an attorney certification into the governing body resolution approving the project, it can save paperwork but still meet the intent of addressing any legal certification by the project sponsor. C/CAG also had some suggestions about language to include in the governing body resolution to better ensure that project sponsors can deliver the projects as specified and within established fund deadlines.

The other congestion management agencies and MTC's programming staff agree that this change will simplify procedures while still generating a paper trail of accountability by project sponsors. The changes have been reviewed with MTC's legal staff.

In the resolution's Attachment A, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles. All of the changes are on the first and second pages of Attachment A to the resolution.

Issues: None.

Recommendation: Refer MTC Resolution No. 875, Revised, to the Commission for approval as requested.

Attachments: MTC Resolution No. 875, Revised

**Metropolitan Transportation Commission
Programming and Allocations Committee**

November 13, 2002

Item Number 4b

Resolution No. 875, Revised

Subject: Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)

Background: MTC has traditionally made TDA Article 3 funds available to cities and counties for pedestrian and bicycle projects. We have also provided funding to ABAG for the Bay Trail Plan as part of this program.

The Solano Transportation Authority has expressed an interest in applying for funds. Although not a county agency, they are a joint powers agency composed of the cities and the county. As such, it, as well as other joint powers agencies that are composed of cities and/or counties, are eligible to apply for TDA Article 3 funds. We therefore propose to amend MTC's procedures to reflect this finding.

At the same time, we are also taking the opportunity to make changes to the wording of the procedures to reflect current practices and the availability of reference manuals on the internet.

In the resolution's Attachment A, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles.

Issues: None.

Recommendation: Refer MTC Resolution No. 875, Revised, to the Commission for approval as requested.

Attachments: MTC Resolution No. 875, Revised

**Metropolitan Transportation Commission
Programming and Allocations Committee**

April 14, 2004

Item Number 3d

Resolution No. 875, Revised

Subject: Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)

Background: MTC makes TDA Article 3 funds available to cities, counties and joint powers agencies for pedestrian and bicycle projects.

MTC Resolution No. 3620 delegates authority to the MTC Executive Director to approve the allocation and rescission of funds over which MTC has allocation authority, including TDA Article 3. We, therefore, propose to amend MTC's procedures for allocating Article 3 funds to reflect this change.

In addition, two other changes to the procedures are proposed. One specifies that the environmental documents must be no older than three years. The purpose of this change is to discourage the practice whereby an applicant receives a TDA Article 3 grant, does no work on the project for the full three years of the grant, and then requests a rescission and reallocation for the same project to extend it an additional three years, resubmitting the same environmental document. Changes in the need for and scope of the project as well as resultant impacts should be assessed and documented.

The other change is to allow for the possibility of an applicant to receive allocations for a pedestrian or bicycle plan over two successive fund cycles, and apply both grants for the same plan preparation activity. This issue recently came up with the City of Berkeley. They received an allocation last year, but before starting preparation of their pedestrian safety plan, decided to augment the scope and budget. They now plan to contract out for a more comprehensive plan, using the funding from two different TDA grants.

In the resolution's Attachment A, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles.

Issues: None.

Recommendation: Refer MTC Resolution No. 875, Revised, to the Commission for approval as requested.

Attachments: MTC Resolution No. 875, Revised

**Metropolitan Transportation Commission
Programming and Allocations Committee**

March 2, 2005

Item Number 4a

Resolution No. 875, Revised

Subject: Pedestrian and Bicycle Project (TDA Article 3) Funding Procedures
(MTC Resolution No. 875, Revised)

Background: The most recent Triennial Performance Audit of MTC recommends that MTC revise its procedures to ensure that allocations do not exceed apportionments. The audit cited TDA article 4 and 8 allocations that exceeded their respective fund estimates. Although there were no instances of noncompliance for article 3, MTC staff proposes a change to the article 3 procedures to ensure continued compliance with the TDA regulations. This relates to how funds from rescinded projects are accounted for.

Counties and congestion management agencies occasionally request MTC to rescind an allocation if a project will not be implemented for one reason or another. Sometimes a partial rescission is requested if a completed project expends less than the amount of the grant. In the past, funds freed up from rescinded projects were added to the amount of the fund estimate so they could be accessed immediately. Staff recommends this procedure be changed, and funds from rescissions of previous years' projects roll into the next year's fund estimate, or a revision to the current fund estimate. Therefore, the funding would only be available for allocation following the inclusion of the rescinded amount in an adopted fund estimate.

Three other changes to the procedures are proposed. One specifies that environmental documents will only be required for projects that entail construction. In the past, we have required that environmental documents be prepared and posted for some TDA article 3 funded activities that are not defined as projects by the California Environmental Quality Act.

Another change specifies that countywide bicycle advisory committees need to evaluate only bicycle (not pedestrian) projects for their unincorporated areas. This will make their role consistent with that of the city bicycle advisory committees. The final change outlines a self-certification procedure for safety standards and implementation schedule.

In the resolution's Attachment A, additions are shown in *italics* and deletions are shown in ~~strike-out~~ type styles.

Issues: None.

Recommendation: Refer MTC Resolution No. 875, Revised, to the Commission for approval.

Attachments: MTC Resolution No. 875, Revised



Guide and Application for
Transportation Development Act – Part 3 (TDA-3) Funds
for Napa County

FY 2013-14 Applications Due to NCTPA: August 16, 2013

NCTPA
625 Burnell Street
Napa, CA 94559
Phone: (707) 259-8631
Fax: (707) 259-8638
www.nctpa.net

April 24, 2013

The Napa County Transportation and Planning Agency is pleased to announce a Call for Projects for Transportation Development Act, Part 3 (TDA-3) funds available to Napa County jurisdictions.

The TDA-3 program is a grant program, funded by approximately 2% of the 1/4cent Statewide Sales Tax. This generates approximately \$120,000 per year in revenues for Napa jurisdictions. The purpose of the TDA-3 program is to provide grants for local bicycle and pedestrian projects.

The TDA-3 program can fund a wide range of project types, including for capital construction and/or design engineering of bicycle and pedestrian projects; and/or for the maintenance of a Class I bikeway; 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 (once every 5 years),

NCTPA is pleased that your agency or organization has chosen the TDA-3 program as a potential funding source to complete your eligible project. This packet has been created to help guide you in submitting a successful application for funding.

The available funding for Napa County TFCA projects for FY 2013-14 will be approximately \$296,000 dollars. The Applications for FY 2013-14 will be due to NCTPA by 5:00 PM on Friday August 16, 2013th.

If you have any questions, you may contact Mr. Eliot Hurwitz, TDA-3 Program Manager, at:

625 Burnell Street
Napa, CA 94559
Phone: (707) 259-8631

Sincerely,

Kate Miller
Executive Director
Napa County Transportation and Planning Agency

The TDA-3 Program

The State Legislature passed the Transportation Development Act (TDA) in 1971. The TDA provides one of the major funding sources for public transportation in California. Transportation Development Act (TDA) funds are generated from a statewide ¼ cent sales tax. Article 3 of TDA is a set-aside of approximately 2% of those monies. Under Article 3 of the TDA, funds are also used by local jurisdictions for bicycle and pedestrian projects.

The Metropolitan Transportation Commission (MTC) administers TDA3, which is distributed based on population. Each year, an annual fund estimate or “entitlement” is developed for each jurisdiction. Unused “entitlement” is accumulated as credit. A jurisdiction’s claim in any given year cannot exceed the sum of their accumulated credit plus their projected entitlement for the following two years.

Funds are obtained by local jurisdictions via a three-step process: (1) apportionment, (2) allocation, and (3) payment (reimbursement). Apportionment in the San Francisco Bay Area follows an MTC formula based upon population. Allocation is the discretionary action by MTC that designates funds for a specific claimant for a specific purpose. NCTPA submits TDA allocation requests to MTC on a regular basis, and unused TDA funds allocated to any project may be rolled over from one fiscal year to the next. No matching funds are required, but the project must meet the funding objectives and be developed in cooperation with the community. The basic objectives of the grant source are to fund projects that increase the safety, security, and efficiency of bicycle and pedestrian travel, and to provide for a coordinated system. The MTC requires supporting resolutions from the sponsoring Council.

There are no matching requirements with this funding source. TDA 3 projects are required to meet Caltrans safety design criteria and CEQA requirements; be completed within three years; be maintained; be consistent with adopted bicycle plans; and be authorized by a governing council or board.

This “Call for Projects” will be issued on May 15, 2013, upon approval by the NCTPA Board of Directors. In addition to the application, project sponsors must deliver documentation of environmental clearance and maps/documents showing project locations and design parameters. Projects must be approved by MTC.

As part of the grant process, MTC also requires the City Council to adopt a resolution making certain findings as follows:

- (i) the City is eligible to request grant funding under State law,
- (ii) there is no pending or threatened litigation that adversely affects the project
- (iii) the grant application is accurate,
- (iv) The jurisdiction has committed adequate staffing resources to complete the projects
- (v) The jurisdiction will comply with CEQA,

- (vi) the completed projects will be maintained by the jurisdiction for the benefit of the public, and
- (vii) the adopted resolution will be sent to NCTPA

Basic Eligibility for TDA-3 Funding

TDA Article 3 funds may be used for the following activities relating to pedestrian and bicycle facilities (including sidewalk wheelchair ramps):

- Engineering expenses leading to construction.
- Right-of-way acquisition.
- Construction and reconstruction.
- Retrofitting existing bicycle and pedestrian facilities, including installation of signage, to comply with the Americans with Disabilities Act (ADA).
- Route improvements such as signal controls for cyclists, bicycle loop detectors, rubberized rail crossings and bicycle-friendly drainage grates.
- Purchase and installation of bicycle facilities such as
 - secure bicycle parking,
 - benches, drinking fountains, changing rooms, rest rooms and showers which are adjacent to bicycle trails, employment centers, park-and-ride lots, and/or transit terminals and are accessible to the general public.
- Maintenance of Class I bikeways (unlimited)
- Maintenance of Class II bikeways. Countywide, the total funds allocated to Class II bikeway maintenance cannot exceed 20% of the total countywide TDA estimate
- Bicycle Safety Education Programs (not more than 50% of the project's budget and not more 5% of the countywide TDA Article 3 funds)
- Comprehensive Bicycle & Pedestrian Facilities Plans (not more than once per jurisdiction every 5 years)
- Projects identified in a recent (within 5 years) comprehensive local bicycle or pedestrian plan
- Annual TDA Article 3 Audits

TDA Article 3 funds may not be used to fully fund the salary of any one person working on these programs

Bicycle Advisory Committee Requirement

Cities and counties may not receive TDA Article 3 funds for bicycle projects unless the jurisdiction has established a Bicycle Advisory Committee (BAC) and the project is included in an adopted plan as stipulated in the MTC TDA Article 3 Rules and Procedures. This requirement does not apply to pedestrian projects. For Napa County, the NCTPA Active Transportation Advisory Committee is fulfills this requirement. However, for those jurisdictions with additional local Bicycle Advisory Committees, the approval of that committee is also required.

Recent Project Examples in Napa County

Project Name	Sponsor	TDA-3 Funds	Total Project \$	Costs must be incurred by
ADA Curb Ramps, CON	Calistoga	\$60,000	\$60,000	6/30/2015
Rowena Ave Sidewalk Improvements, CON	City of Napa	\$169,000	\$169,000	6/30/2015
SR29 Undercrossing, PE	City of Napa	\$72,000	\$72,000	6/30/2015
Vine Trail – Solano Ave, PE	NCTPA	\$50,000	\$504,000	6/30/2015

Project Selection Process

The project selection process is as follows. NCTPA staff will run the prospective projects through an initial qualification process based on project eligibility, and present their findings to the NCTPA Active Transportation Advisory Committee (ATAC) which will serve as the initial selection and prioritization committee. The ATAC recommendations will be forwarded to the NCTPA Technical Advisory Committee (TAC) for their review and recommendation. The recommendation from both Committees will be forwarded to the NCTPA Board for their decision.

Projects will be evaluated on a cost effective and project readiness basis.

TDA-3 Project Selection Criteria for Napa County

For Bicycle Projects

- The project is listed in the jurisdiction's adopted Bicycle Plan
- The project priority level is "high" as indicated in the jurisdiction's Bicycle Plan
- Environmental Clearance is secured

For Pedestrian Projects

- The project is listed in the jurisdiction's Capital Improvement Plan
- Environmental Clearance is secured

Additional credit will be given to projects that

- are on the Countywide "Primary Bikeway Network"
- provide additional local matching funds (not required)

Application Instructions:

TDA-3 project applications for FY 2013-14 must be **submitted to NCTPA no later than 5:00 PM on Friday, August 16, 2013**. Applications may be emailed to Eliot Hurwitz at ehurwitz@nctpa.net. Applications must include:

- MTC project application (attached)
- Resolution of local support following MTC requirements (attached)

What Happens After Submission of the TDA-3 application?

After applications are submitted to NCTPA the evaluation process will begin. NCTPA plans on the following action timeline:

- August 27, 2013 – NCTPA will take proposed 2013-14 TDA-3 projects to the NCTPA Active Transportation Advisory Committee (ATAC) for recommendation to NCTPA Board.
- September 5, 2013 – NCTPA will take proposed 2013-14 TDA-3 projects to the NCTPA Technical Advisory Committee (TAC) for recommendation to NCTPA Board.
- September 18, 2013 – NCTPA will take proposed final projects for FY 2013-14 to the NCTPA Board for approval (date tentative) and forwards the applications to MTC.
- October 2013 – MTC sends out agreements to project sponsors (date tentative).

Contact Information

Napa County TDA-3 Program Manager
Eliot Hurwitz
625 Burnell Street
Napa, CA 94559
Phone: (707) 259-8782
Email: ehurwitz@nctpa.net

NCTPA Main Office
625 Burnell Street
Napa, CA 94559
Phone: (707) 259-8631
Fax: (707) 259-8638
Web: www.nctpa.net

Metropolitan Transportation Commission
TDA & RM2 Operating Program Manager
Cheryl Chi
Phone: (510) 817-5939
Email: cchi@mtc.ca.gov

Metropolitan Transportation Commission

Transportation Development Act Article 3 Funds Bicycle and Pedestrian Projects

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 claim forms still constitute only one Attachment B. In other words, Attachment B can be one to “n” number of claim forms, and the total number of pages of Attachment B is the total number of pages of all of the claim 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**.

DRAFT

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. 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 **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

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 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.).
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 **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, environmental, engineering, right-of-way, construction, inspection, contingency, audit). 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.

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? (If "NO," provide an explanation).	
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 exact text of the body of the model resolution must be submitted to MTC; however, a claimant may reformat the resolution for administrative purposes.

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

WHEREAS, MTC Resolution No. 875, Revised 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. 875, Revised 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;

- E. confirmation that each project meets Caltrans' minimum safety design criteria and is ready to implement within the next fiscal year.

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		

Metropolitan Transportation Commission

Transportation Development Act Article 3 Funds Bicycle and Pedestrian Projects

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 claim forms still constitute only one Attachment B. In other words, Attachment B can be one to “n” number of claim forms, and the total number of pages of Attachment B is the total number of pages of all of the claim 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. 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 **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

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 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.).
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 **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, environmental, engineering, right-of-way, construction, inspection, contingency, audit). 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.

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? (If "NO," provide an explanation).	
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 exact text of the body of the model resolution must be submitted to MTC; however, a claimant may reformat the resolution for administrative purposes.

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

WHEREAS, MTC Resolution No. 875, Revised 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. 875, Revised 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;

- E. confirmation that each project meets Caltrans' minimum safety design criteria and is ready to implement within the next fiscal year.

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		