

## RESOLUTION 2021-

### RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2021/22 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, 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. 4108, 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 **TOWN OF LOS GATOS** 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; and

**BE IT FURTHER RESOLVED** that the **TOWN OF LOS GATOS** declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and

**BE IT FURTHER RESOLVED**, that there is no pending or threatened litigation that might adversely affect the project or projects described in Attachment B to this resolution, or that might impair the ability of the **TOWN OF LOS GATOS** to carry out the project; and

**BE IT FURTHER RESOLVED** that the **TOWN OF LOS GATOS** attests to the accuracy of and approves the statements in Attachment A to this resolution; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the congestion management agency, countywide transportation planning agency, or county association of governments, as the case may be, of COUNTY OF SANTA CLARA for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 18th day of May 2021 by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA  
DATE: \_\_\_\_\_

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA  
DATE: \_\_\_\_\_

Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **2021/22** Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

**Findings**

1. That the **TOWN OF LOS GATOS** 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 **TOWN OF LOS GATOS** legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the **TOWN OF LOS GATOS** 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 final design and engineering or quick build project; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic and/or Class IV separated 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, and an allocation of TDA Article 3 funding for such a plan has not been received by the **TOWN OF LOS GATOS** 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.) or responds to an immediate community need, such as a quick-build project.
9. That any project described in Attachment B bicycle project meets the mandatory minimum safety design criteria published in the California Highway Design Manual or is in a National Association of City and Transportation Officials (NACTO) guidance or similar best practices document.
10. That the project(s) described in Attachment B will be completed in the allocated time (fiscal year of allocation plus two additional fiscal years).
11. That the **TOWN OF LOS GATOS** 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.

Attachment B

**TDA Article 3 Project Application Form**

Fiscal Year of this Claim: FY2021/22 Applicant: Town of Los Gatos

Contact person: Ying Smith, Transportation and Mobility Manager

Mailing Address: Parks & Public Works, 41 Miles Avenue, Los Gatos CA 95030

E-Mail Address: YSmith@LosGatosCA.gov Telephone: (408) 827-3550

Secondary Contact (in event primary not available) Matt Morley

E-Mail Address: MMorley@losgatosca.gov Telephone: 408-399-5774

**Project Title (Short Description):** FY2021/22 Pedestrian Improvements

Amount of claim: \$62,884

**Description of Overall Project:**

Install high-visibility crosswalks, ADA-compliant curb ramps, and other pedestrian improvements at multiple locations. The Town will complete CEQA clearance upon the completion of the design phase, with improvement locations identified. It is estimated that the design will be completed in early 2022 and the construction will occur in spring and summer of 2022.

**Project Scope Proposed for Funding:** (Project level environmental, preliminary planning, and ROW are ineligible uses of TDA funds.)

Install high-visibility crosswalks, ADA-compliant curb ramps, and other pedestrian improvements at multiple locations. Project phases will include PS&E and construction.

**Project Budget and Schedule**

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
ENV			-	
PA&ED			-	
PS&E	10,000		10,000	Dec-21
ROW			-	
CON	52,884		52,884	Dec-22
<b>Total Cost</b>	<b>62,884</b>	-	<b>62,884</b>	Dec-22

<b>Project Eligibility:</b>	<b>YES?/NO?</b>
<b>A.</b> Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	Yes May 18, 2021
<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> ).	N/A
<b>D.</b> Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee? (If "NO," provide an explanation).	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).	No CE will be filed.
<b>F.</b> Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	Yes Dec. 2021
<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: _____)	Yes