


Agenda Report Reviewed by:
City Manager: 

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: April 5, 2022
To: Honorable Mayor and City Councilmembers
From: Toni Bertolero, GHD, Engineering Consultant
Subject: Adoption of Resolution for the Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2022-27 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding
Recommendation: Adopt Resolution for Pedestrian/Bicycle Project Funding
Funding: Currently Budgeted: _____ Yes _____ No N/A

Account Code/Costs authorized in City Approved Budget (if applicable) AK (verified by Administrative Services Department)

INTRODUCTION/PURPOSE:

On behalf of the City of Sebastopol, the Engineering Department submitted a request to MTC for the allocation of TDA Article 3 (“TDA 3”) funding to support the SR 116 ADA Curb Ramp and Bodega Avenue Intersection Improvements (Project). This Project benefits both pedestrians and/or bicyclists. MTC requires a Resolution adopted by the governing body in order for MTC to approve the request for TDA 3 allocation of funding (see Attachment).

BACKGROUND AND DISCUSSION:

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. All projects are expected to advance the goals of the Regional and Comprehensive Transportation Plans.

The City previously received TDA 3 funds in 2021 for the SR 116 ADA curb ramp installation project and was allocated \$32,383 of TDA 3 funds with funds to be used by June 30, 2022. However, due to timing with securing the Quick Strike grant, the TDA 3 allocation cannot be used to meet the June 30 deadline and the City asked that the allocation be rescinded.

The current TDA 3 request is being submitted for reallocation of the unused funds of \$32,383 plus an additional \$28,211 that the City is eligible to receive under the allocation formula for TDA 3 funds, for a total request of \$60,594. The TDA 3 application, submitted on March 14, 2022 (see Attachment).

GOALS:

This action supports the following City Council Goals and General Plan Actions listed below.

- Goal 2: Maintain, Improve and Invest in the City’s Infrastructure (Water, Sewer, Streets, Circulation, Parks, Storm Drains and Public Facilities).
- Circulation 2-7: Create an accessible circulation network that is consistent with the guidelines established by the Americans with Disabilities Act (ADA), allowing mobility-impaired users such as the disabled and the elderly to safely and effectively travel within and beyond the city.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, staff anticipates receiving public comment from interested parties following the publication and distribution of this staff report. Such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of the agenda item.

PUBLIC NOTICE:

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

FISCAL IMPACT:

There is no fiscal impact for this Council action since TDA 3 allocation does not require a local match.

RECOMMENDATION:

Staff recommends the Sebastopol City Council provide authorization to submit an application for allocation of funds to improve bicycle and pedestrian safety and passage corridors. Feedback is requested, if any.

Attachments:

- 1 Resolution for TDA funding
- 2 TDA 3 Application submitted March 14, 2022

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL
YEAR 2022-23 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 City of Sebastopol 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.

NOW, THEREFORE, BE IT RESOLVED that effective April 5, 2022:

1. The City of Sebastopol 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
2. 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 Sebastopol to carry out the project; and furthermore, be it
3. The City of Sebastopol attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, be it
4. 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 Sonoma County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

IN COUNCIL DULY PASSED, APPROVED and ADOPTED THIS 5th day of April 2022.

VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: _____
Patrick Slayter, Mayor

ATTEST: _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Larry McLaughlin, City Attorney

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. **4108**
Abstract [Optional]

This resolution approves the request to the Metropolitan Transportation Commission by the **City of Sebastopol** for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year **2022-2023**.

Resolution No. _____

Re: Request to the Metropolitan Transportation Commission for the allocation of fiscal year 2022-23 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 **City of Sebastopol** desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Attachment B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

RESOLVED, that the **City of Sebastopol** 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 **City of Sebastopol** to carry out the project; and furthermore, be it

RESOLVED, that the **City of Sebastopol** 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 **Sonoma County** for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

The **City of Sebastopol** adopted this resolution on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): _____

Mary Gourley, City Clerk

Resolution No. _____
Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2022-23
Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

Findings

Page 1 of 1

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

Attachment B

page **INSERT PAGE NUMBER** of **INSERT TOTAL PAGE NUMBERS**

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2022-23 Applicant: City of Sebastopol

Contact person: Toni Bertolero

Mailing Address: 714 Johnson St.,

E-Mail Address: toni.bertolero@ghd.com Telephone: (707) 921-7647

Secondary Contact (in event primary not available) Reyna Ramirez

E-Mail Address: rramirez@cityofsebastopol.com Telephone: (707) 823-5331

Project Title (Short Description): SR 116 ADA Curb Ramps and Bodega Ave Intersection Improvements

Amount of claim: \$60,594.

Description of Overall Project:

This project is the installation of seven (7) ADA ramps at intersections along State Route 116, and installation of pedestrian-activated beacons, markings and signage at Bodega Avenue/Robinson Road and at Bodega Avenue/Florence Avenue. The ADA ramp locations on SR 116 are at: Hurbut Ave, Ellis Ave, Cleveland Ave, N Main St, Wallace St, Fannen Ave, and Maple Ave.

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

Construction of the Project as described.

Project Budget and Schedule

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
ENV			30,000	9/2022
PA&ED			-	
PS&E			50,000	9/2022
ROW			-	
CON	60,594	837,636	898,230	12/2023
Total Cost	60,594	837,636	978,230	

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).	yes
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	yes
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).	n/a
D. Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee? (If "NO," provide an explanation).	yes
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).	No
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	12/2023 completion
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: _____)	yes

Explanation of Project Eligibility:

- B. The project had received TDA Article 3 funding in the amount of \$32,383 was previously allocated for the ADA curb ramp portion of this project. However, none of these funds were expended and that allocation has since been rescinded in order to combine this work with a larger project.

- E. This project requires NEPA review because it is also receiving “Quick Strike” Safe and Seamless Mobility grant funding. The environmental documentation is currently being prepared and is estimated to be completed in June 2022. Public availability will be made at that time. The resolution states that environmental issues need to have been reviewed and that timing of certification will not impact the project schedule. No significant environmental impacts are anticipated.