

May 18, 2010

Marin County Board of Supervisors
County of Marin
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Resolution to the Metropolitan Transportation Commission (MTC) to request \$320,649 of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for Mill Valley-Sausalito Multi-Use Pathway Major Maintenance.

Dear Board Members:

RECOMMENDATION: 1) Approve Resolution, and 2) Authorize Department of Finance to increase appropriations and revenue per the Fiscal Impact Section below.

SUMMARY: In accordance with Article 3 of the Transportation Development Act (TDA) the Transportation Authority of Marin has approved funding to resurface a portion of the Mill Valley-Sausalito path. This resolution approves the request to the Metropolitan Transportation Commission by Marin County for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year FY 2010/11. It will also allow for submittal of a Countywide Coordinated Claim to reimburse funds expended in the major maintenance of multi-use pathway facilities.

FISCAL IMPACT: The requested funds for allocation are \$320,649 to supplement ongoing maintenance work required as our multi-use pathways age. There is no local match required for the grant and no impact to the general fund.

Fund	Fund Center	Commitment Item #	Increase Appropriation/ Expenditures Amount	Offset by Revenue Amount
10000 (General Fund)	4100995043 (Multi-use Pathways Major Maint.)	5210100 (Prof. Services)	\$320,649	
10000 (General Fund)	4100995043 (Multi-use Pathways Major Maint.)	4570120 (Local Grant Revenue)		\$320,649

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REVIEWED BY:	<input checked="" type="checkbox"/>	Department of Finance	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Very truly yours,

Craig Tackabery
Assistant Director

c: Reuel Brady
Heidi Davaloo, Accounting
Ron Miska, Parks and Open Space

Attachment: Resolution

FMBB Docs. # 100013014

RESOLUTION NO. 2010-__

RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
REQUESTING THE METROPOLITAN TRANSPORTATION COMMISSION ALLOCATE
TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE
PROJECT FUNDING FOR FISCAL YEAR 2010/2011

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, Marin County 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 Marin County 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 Marin County to carry out the project; and furthermore, be it

RESOLVED, that Marin County 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 Marin County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on the 18th day of May, 2010, by the following vote:

AYES: SUPERVISORS

NOES:

ABSENT:

ATTEST:

PRESIDENT, BOARD OF SUPERVISORS

Clerk

RESOLUTION NO. 2010-__

Attachment A

**RESOLUTION OF THE MARIN COUNTY BOARD OF SUPERVISORS
REQUESTING THE METROPOLITAN TRANSPORTATION COMMISSION ALLOCATE TRANSPORTATION
DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT
FUNDING FOR FISCAL YEAR 2010/2011**

Findings

1. That Marin County 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 Marin County legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That Marin County 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 Marin County 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 Marin County 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. 2010-__
Attachment B

TDA Article 3 Project Application Form

Fiscal Year of this Claim: FY 10/11

Applicant: Marin County

Contact person: Craig Tackabery

Mailing Address: 3501 Civic Center Drive, Room #304; San Rafael, CA 94903

E-Mail Address: CTackabery@co.marin.ca.us

Telephone: (415) 499-6582

Secondary Contact Ernest Klock

E-Mail Address: EKlock@co.marin.ca.us

Telephone: (415) 499-6552

Short Title Description of Project: Multi-Use Pathway Major Maintenance Project, Phase 1

Amount of claim: \$320,649

Functional Description of Project:

Maintenance includes slurry seals to asphalt concrete overlays. Digouts & tree root removal will be necessary in some areas. Portions of the paths are subject to tidal action, most are subject to the environmental affects of ultraviolet radiation which has caused the loss of fines in the pavement surface & extensive alligatored cracking to the depth of the asphalt concrete. In addition, options to minimize tidal action will be evaluated. Final plans may also include other incidental trail repairs and improvements, such as drainage systems and signage and striping, and accessibility improvements.

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: Design and Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$320,659			\$320,659
list all other sources:					
1.					
2.					
3.					
4.					
Totals		\$320,659			\$320,659

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.	No
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).	Yes
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation). <u>Project is maintenance of existing facilities.</u>	No
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) _____	Yes
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

Resolution No. 2010-04

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2010/11 TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in Marin 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 Transportation Authority of Marin 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 Marin 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 Marin County whose project or projects have been prioritized for inclusion in the fiscal year 2010/11 TDA Article 3 countywide coordinated claim, has forwarded to the Transportation Authority of Marin 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 Transportation Authority of Marin approves the prioritized list of projects included as Attachment A to this resolution; and furthermore, be it

RESOLVED, that the Transportation Authority of Marin approves the submittal to MTC, of Marin County fiscal year 2010/11 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 Transportation Authority of Marin on March 25, 2010.

AYES: Commissioners Adams, Arnold, Boro, Fredericks, Furst, Greene, Kellner, Kinsey, Lundstrom, Moulton-Peters, and Skall

NAYS: None

Certified to by (signature): _____
Denise Merleno, Clerk of the Board

Resolution No. 2010-04
Attachment A

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2010/11 TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in Marin County

Prioritized List of Projects

	Short Title Description of Project	TDA Article 3 Amount	Total Project Cost
1.	Multi-Use Pathway Major Maintenance Project, Phase 1	320,649	320,649
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	Totals	320,649	320,649