

RESOLUTION NO. 15-21

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, AUTHORIZING A REQUEST TO THE METROPOLITAN
TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR
2021-22 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3
PEDESTRIAN/BICYCLE PROJECT FUNDING AND TO ACCEPT AND
APPROPRIATE THE FUNDS SHOULD THE GRANT BE AWARDED**

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 *et seq.*, authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 4108, entitled “Transportation Development Act, Article 3, Pedestrian and Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of “TDA Article 3” funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay Region; and

WHEREAS, the City of Richmond 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

WHEREAS, the project has been crafted in collaboration with and approved by the Richmond Bicycle/Pedestrian Advisory Committee; and

WHEREAS, the project is consistent with the City’s Bicycle Master Plan; and

WHEREAS, Bike East Bay is the established leader in bicycle safety training classes throughout the East Bay; and

WHEREAS, Safe Organized Spaces Richmond (SOS! Richmond) successfully operates programs by partnering housed and unsheltered residents to work together on neighborhood conditions across Richmond including illegal dumping, trash, and homeless encampments; and

NOW, THEREFORE, BE IT RESOLVED that the City of Richmond 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 City of Richmond to carry out the project; and

BE IT FURTHER RESOLVED that the City of Richmond 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 Contra Costa County for submission to MTC as part of the countywide coordinated TDA Article 3 claim; and

BE IT FURTHER RESOLVED that the City Council of the City of Richmond, authorizes the City Manager, or designee, to execute all Agreements and any amendments thereto with the Metropolitan Transportation Commission and to execute agreements with the identified project partners to complete the grant funded project; and

BE IT FURTHER RESOLVED the City Council of the City of Richmond accepts and appropriates the grant award for the City of Richmond Fiscal Year 2021-22 budget, should the grant be awarded.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held February 16, 2021, by the following vote:

AYES:	Councilmembers Jimenez, Martinez, McLaughlin, Willis, Vice Mayor Johnson, and Mayor Butt.
NOES:	None.
ABSTENTIONS:	None.
ABSENT:	Councilmember Bates.

PAMELA CHRISTIAN
 CLERK OF THE CITY OF RICHMOND
 (SEAL)

Approved:

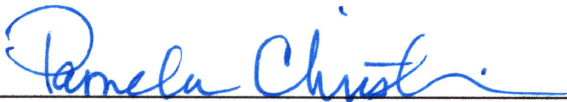
THOMAS K. BUTT
 Mayor

Approved as to form:

TERESA STRICKER
 City Attorney

State of California	}	
County of Contra Costa	}	: ss.
City of Richmond	}	

I certify that the foregoing is a true copy of **Resolution No. 15-21**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on February 16, 2021.



 Pamela Christian, Clerk of the City of Richmond

Attachment A

**REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE
ALLOCATION OF FISCAL YEAR 2021-22 TRANSPORTATION DEVELOPMENT
ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING**

Findings

Page 1 of 1

1. That the City of Richmond 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 Richmond legally impeded from undertaking the project described in “Attachment B” of this resolution.
2. That the City of Richmond has committed adequate staffing resources to complete the project described in Attachment B.
3. A review of the project 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.
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 described in Attachment B complies 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 of the project in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project.
7. That the project described in Attachment B are for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the City of Richmond within the prior five fiscal years.
8. That the project described in Attachment B is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in Attachment B that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project described in Attachment B will be completed before the funds expire.
11. That the City of Richmond agrees to maintain, or provide for the maintenance of, the project and facilities described in Attachment B, for the benefit of and use by the public.

Attachment B

REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2021-22 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING

Application Form

Fiscal Year of this Claim: FY 21/22 Applicant: City of Richmond
 Contact person: Patrick Phelan
 Mailing Address: 450 Civic Center Plaza, Richmond, CA 94804
 E-Mail Address: patrick_phelan@ci.richmond.ca.us Telephone: (510) 307-8111
 Secondary Contact (in event primary not available): Tawfic N. Halaby
 E-Mail Address: tawfic_halaby@ci.richmond.ca.us Telephone: (510) 621-1612
Short Title Description of Project: Richmond Greenway Rehabilitation & Richmond Bicycle Safety Education Project
 Amount of claim: \$ 100,000

Functional Description of Project:

The City of Richmond and the Richmond Bicycle/Pedestrian Advisory Committee (R-BPAC) propose a three-part project including bicycle safety education with Bike East Bay, maintenance of the Richmond Greenway in collaboration with Safe Organized Spaces Richmond (SOS! Richmond), and the rehabilitation of a critical segment

of the Richmond Greenway where it is bisected by an underpass and railroad tracks. The project proposal was developed during three R-BPAC meetings, where members felt that the City should take advantage of the TDA3 program's rare opportunity to fund bicycle safety education programming and multi-use path maintenance, in addition to a small construction project. Bike East Bay staff assist Richmond in multiple ways and regularly attend R-BPAC meetings. However, most of Bike East Bay's award-winning education programming is currently based in Alameda County, with little education funding specifically for Contra Costa County. These grant funds would bring important programming to Richmond, providing one-on-one support and encouragement for residents to take advantage of the investments being made in active transportation infrastructure.

The Richmond Greenway is a 2.4 mile long multi-use path running in a former railroad right-of-way through the heart of Richmond. In 2019, a 3,000 foot long cycle track was added to the west end of the Greenway along a large unused railroad property, functionally extending the Greenway to connect with the San Francisco Bay Trail along the Richmond Parkway. Along the Greenway corridor are parks, playgrounds, community gardens, green infrastructure elements, native landscaping, and a bicycle skills park. The serious problems of illegal dumping and homelessness, and the lack of maintenance, especially litter removal, threaten the viability of this public space and active transit corridor. Volunteers and non-profit groups spend more time picking up trash than running their engagement programs. SOS! Richmond is a community network that engages with, provides stipends to, and employs leaders of the unsheltered community to self-manage shared public spaces. Fiscally sponsored by Richmond Friends of Recreation, SOS deploys its teams throughout greater Richmond. The Greenway is an excellent candidate for deepening its partnership with Friends of the Richmond Greenway (FORG) and City of Richmond Parks & Landscaping Division. SOS would help maintain the entire length of the Greenway including the cycle track extension.

A gap in the Greenway remains between 23rd Street and Carlson Blvd, where pedestrians and bicyclists must make a number of turns on city streets and through an underpass to get around the railroad tracks. At the corner of Ohio Ave and 23rd St, an undersized and failing sidewalk must be used to access the Greenway and Dirt World, a 2-acre free, public bicycle terrain park along the Greenway. Dirt World and its creators are frequent City and R-BPAC collaborators. The portion of the Greenway multi-use path along Dirt World is deteriorating and needs to be rehabilitated, contiguous with the failing sidewalk. These funds will improve safety and comfort along the path; will allow Dirt World to focus their efforts on the bike skills park itself; and will improve access to the Greenway at a critical junction with city streets.

Financial Plan:

List the project elements for which TDA funding is being requested (e.g., planning, engineering, construction, contingency). Use the table below to show the project budget for the phase being funded or total project. Include prior and proposed future funding of the project. Planning funds may only be used for comprehensive bicycle and pedestrian plans. Project level planning is not an eligible use of TDA Article 3.

Project Elements: Bicycle Safety Education, Multi-Use Path Maintenance, Multi-Use Path Construction

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3		\$ 100,000			\$ 100,000
list all other sources:					
1. Local Funds		\$27,310			\$27,310
Totals					\$127,310

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).	NO – 2/16/2021
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 (BAC)? (If "NO," provide an explanation). Enter date the project was reviewed by the BAC: __11/9/2020, 12/14/2020, 1/11/2021_____	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).	YES
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____December, 2023_____	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: <u>Safe Organized Spaces Richmond</u>)	YES