

## **RESOLUTION 2019-008**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AUTHORIZING SUBMISSION OF A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2019/20 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING FOR WILDCAT CREEK TRAIL CROSSING ENHANCEMENTS PROJECT AND FINDING THE PROJECT CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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;

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;

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;

WHEREAS, the City of San Pablo desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in the attached Exhibit B, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; and

WHEREAS, staff only requests City Council authorization to apply for the grant, such that there is no direct fiscal impact other than staff time to prepare the grant application, and if successful, staff will return to City Council for appropriation authority.

NOW THEREFORE, BE IT RESOLVED that the City of San Pablo declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code;

BE IT FURTHER RESOLVED that there is no pending or threatened litigation that might adversely affect the project or projects described or that might impair the ability of the City of San Pablo to carry out the project as stated in Exhibit B;

BE IT FURTHER RESOLVED that the City of San Pablo attests to the accuracy of and approves the statements in Exhibit A;

BE IT FUTHER RESOLVED that the project has been reviewed by the countywide Bicycle Advisory Committee (BAC) and has been approved by MTC to use the countywide BAC and the countywide BAC provides for expanded representation of City of San Pablo and the designated representative is familiar with the bicycle and pedestrian needs of City of San Pablo;

BE IT FURTHER RESOLVED that this work described in attached Exhibit B is determined to be categorically exempt under the California Environmental Quality Act (CEQA) in accordance with Section 15301 of the CEQA Guideline, minor alterations to existing public streets and there is no evidence the proposed project would have any potentially adverse effects on wildlife resources;

BE IT FURTHER RESOLVED that a certified copy of this resolution and its exhibits, 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 authorizes the City Manager to request allocation of Fiscal Year 2019/20 Transportation Development Act Article 3 Pedestrian/Bicycle project funding for Wildcat Creek Trail Crossing Enhancements Project from the Metropolitan Transportation Commission and to execute any documents related to the grant application.

\* \* \* \* \*

ADOPTED this 22<sup>nd</sup> day of January, 2019, by the following vote:

AYES:	COUNCILMEMBERS:	Pineda, Xavier, Pabon-Alvarado, Cruz and Kinney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Patricia Ponce  
Patricia Ponce, City Clerk

/s/ Rich Kinney  
Rich Kinney, Mayor