



Agenda Item No. 10f.

Staff Report

Date: December 9, 2021

To: Mayor Robbins and Council Members

From: Richard Simonitch, Public Works Director

Subject: Town Council consideration of adoption of Resolution No. 2227 requesting to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2021/2022 Transportation Development Act Article 3 Pedestrian/Bicycle project funding for the Laurel Grove Safe Pathways Project.

Recommendation:

It is recommended that the Town Council adopt Resolution No. 2227 requesting to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2021/2022 Transportation Development Act Article 3 Pedestrian/Bicycle project funding for the Laurel Grove Safe Pathways Project.

Background and discussion:

In July 2021 the Transportation Authority of Marin (TAM) issued a Call for Projects to Marin County agencies that could be eligible for Transportation Development Act (TDA) Article 3 funding. Eligible projects for TDA Article 3 grant funding include:

1. construction and/or engineering of a capital project
2. maintain a Class I bikeway which is closed to motorized traffic
3. prepare a bicycle safety education program
4. develop comprehensive bicycle or pedestrian facilities plans
5. restriping Class II bicycle lanes.

The Public Works Director recognized preliminary engineering design of the future (Phase III) extension of the Laurel Grove Safe Pathway from the current Phase II limits at Canyon Road southward to Makin Grade as a project that could be eligible for the TDA Article 3 grant (construction and/or engineering of a capital project) and submitted a grant application request for \$75,000 to TAM.

Following the evaluation of projects submitted by Marin County Agencies, TAM staff selected the Laurel Grove Phase III engineering project as one of the projects to be recommended to the TAM Board of Commissioners for approval. The Town of Ross' \$75,000 TDA Article 3 grant application was presented by TAM staff and approved by the TAM Board of Commissioners at its September 23, 2021 Board meeting. Agencies whose TDA projects are selected by the TAM Board for approval are required to submit a Council resolution and include documentation demonstrating projects have been reviewed by TAM's Bike/Ped Advisory Committee (BPAC). The BPAC reviewed and approved the Town's project application on July 21, 2021. The appropriate documentation is included as Attachment A and B to Resolution 2227.

The Laurel Grove Safe Pathways Project will provide a single 4'-6' wide pedestrian pathway and protective asphalt berm adjacent to the existing travelled way of Laurel Grove. Phase I of the project was constructed in 2017, installing a concrete sidewalk connection between Sir Francis Drake Boulevard and the Laurel Grove Driveway entrance to MAGC. Phase II is currently in design and will extend an asphalt pathway from Phase I to Canyon Road. Phase III will propose to extend the pathway along Laurel Grove toward the Town Limits at Makin Grade.

Fiscal, resource and timeline impacts:

The \$75,000 TDA grant will fund preliminary engineering including right-of-way and topographical surveying and preliminary alignment options to extend the pathway from Canyon Road to Makin Grade. Additional funds to complete these tasks, if needed, will come from the Town's Roadway Fund. Prior to beginning the preliminary design, staff will present the consultant's proposal and fee for the preliminary engineering of Phase III to Council for approval at a future Town Council meeting. Following the completion of the Phase III preliminary engineering tasks, a separate proposal and fee to complete the final engineering of Phase III will be prepared and presented to Council for approval.

Attachments:

- Resolution No. 2227 with attachments

TOWN OF ROSS

RESOLUTION NO. 2227

REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2021/2022 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, 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 TOWN OF ROSS 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 by the Town Council of the Town of Ross that:

1. the TOWN OF ROSS declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, that
2. the TOWN OF ROSS declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code, and furthermore, that
3. 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 ROSS to carry out the project; and furthermore, that
4. the project has been reviewed by the Bicycle Pedestrian Advisory Committee of the Transportation Authority of Marin; and furthermore, that

5. the TOWN OF ROSS attests to the accuracy of and approves the statements in Attachment A to this resolution; and furthermore, that
6. 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.

The foregoing resolution was duly and regularly adopted by the Ross Town Council at its regular meeting held on the 9th day of December 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Elizabeth Robbins, Mayor

ATTEST:

Linda Lopez, Town Clerk

RESOLUTION NO. 2277
ATTACHMENT A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2021/2022 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

1. That the TOWN OF ROSS 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 ROSS legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the TOWN OF ROSS 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 the TOWN OF ROSS within the prior five fiscal years.
8. That the project(s) 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(s) described in Attachment B will be completed before the funds expire.
11. That the TOWN OF ROSS 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.

