

## **RESOLUTION NO. 23-23**

### **A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON REQUESTING TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2023-2024 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRAIN / 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 Town of Atherton 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 Town of Atherton 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 Town of Atherton to carry out the project; and furthermore, be it

**RESOLVED**, that the Town of Atherton 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 Town of Atherton for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the Town of Atherton does hereby approve the request for the allocation of fiscal year 2023-2024 Transportation Development Act Article 3 Pedestrian / Bicycle Project Funding.

**PASSED AND ADOPTED** at a meeting of the City Council of the Town of Atherton held on the 19th day of June 2024 by the following vote:

AYES: Council members:  
NOES: Council members:  
ABSTAIN: Council members:  
ABSENT: Council members:

\_\_\_\_\_  
Diana Hawkins-Manuelian, MAYOR  
Town of Atherton

ATTEST:

\_\_\_\_\_  
Anthony Suber, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Mona Ebrahimi, City Attorney

Resolution No. **24-X**  
Attachment A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2023-2024 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

**Findings**

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1. That the TOWN OF ATHERTON 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 ATHERTON legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the TOWN OF ATHERTON 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 TOWN OF ATHERTON 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 TOWN OF ATHERTON 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.