

## STAFF REPORT

**Date:** Tuesday, December 8, 2015  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kevin Rohani, P.E. Public Works Director/ City Engineer

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

**SUBJECT:** A Resolution of the City Council of the City of Oakley Supporting the Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2016/2017 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

### Background and Analysis

City Staff received a call for projects for the Metropolitan Transportation Commission (MTC) administered grant program. The program makes funds available to local Contra Costa County governments for the construction of bicycle and pedestrian safety projects. The goals of the program are to reduce injuries and fatalities and to encourage increased walking and bicycling. The program achieves these goals by constructing facilities that enhance safety for pedestrians and bicyclists. By enhancing the safety of the pathways, trails, sidewalks, and crossings; the likelihood of attracting and encouraging others to walk and bike increases. One of the requirements for the application is a resolution of support adopted by the City Council.

The City of Oakley, in the Vintage Parkway neighborhood, has a canal that connects Vintage Parkway to the Delta and to an East Bay Regional Park District (EBRPD) trail. This street is used by residents for walking and bike riding for both recreation and travel to and from the local school. Vintage Parkway is also the main road connecting from Main Street to Big Break Road. At the End of Big Break Road, there is a pier for multi-recreational use, as well as a trail head for the East Bay Regional Trail System. The City of Oakley would like to construct a paved trail that would connect Vintage Parkway to the East Bay Regional Park Trail.

This proposed trail would allow residents to more safely walk or bike ride from their neighborhood to the EBRPD trail without having to travel out of their neighborhoods to connect with the trail. This would also allow children and parents to have an alternate way to travel to and from the local school, by using the EBRPD trail, then connecting to the City proposed trail. Currently children and parents must use Vintage Parkway to walk or bike ride to and from the school with no alternate route.

The existing canal consists of open land along the canal that currently has only vegetation and a few weeds growing on it. The City currently goes through and cuts down the existing grasses and weeds for fire control. Both sides of the canal are lined with homes that would benefit from having access to a maintained trail. What the City is proposing to do is to install a 10 foot wide asphalt pathway that would be to EBRPD standards. The area between the pathway and the canal would be left as a non-irrigated area with native grasses as it currently exists, and between the trail and the neighborhood houses would be planted with native shrubs and some trees to allow for screening and shade along the trail.

City Staff has concluded that there is sufficient room to construct a 10 foot wide path separated from the canal. Preliminary cost estimates indicate that the pathways and necessary improvements would cost approximately \$130,000. This number includes environmental clearance, design, as well as construction.

**Fiscal Impact**

Staff is requesting that 85% of the funding come from the MTC Grant Program with a 15% local funding match.

**Staff Recommendation**

Staff recommends that the City Council adopt the Resolution of Local Support for filing the application and stating the assurance to complete the project.

**Attachments**

- 1) Resolution
- 2) Attachment A
- 3) Attachment B

**RESOLUTION NO. \_\_-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY  
REGARDING A REQUEST TO THE METROPOLITAN TRANSPORTATION  
COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2016-2017  
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 **City of Oakley** 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 **City of Oakley** 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 **City of Oakley** to carry out the project; and furthermore, be it

**RESOLVED**, that the project has been reviewed by the countywide Bicycle Advisory Committee and has been approved by MTC to use the countywide BAC and the countywide BAC provides for expanded representation of **City of Oakley** and the designated representative is familiar with the bicycle and pedestrian needs of **City of Oakley**; and furthermore, be it

**RESOLVED**, that the **City of Oakley** 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 Contra Costa County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 8<sup>th</sup> of December, 2015 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTENTIONS:

APPROVED:

ATTEST:

\_\_\_\_\_  
, Mayor

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

## Attachment A

### Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **2016-2017** Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

#### **Findings**

1. That the **City of Oakley** 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 Oakley** legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the **City of Oakley** 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 **City of Oakley** 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 **City of Oakley** 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.

**Attachment B**

**TDA Article 3 Project Application Form**

Fiscal Year of this Claim: 2016-2017

Applicant: City of Oakley

Contact person: Jason Kabalin

Mailing Address: 3231 Main Street, Oakley, CA 94561

E-Mail Address: kabalin@ci.oakley.ca.us Telephone: (925) 625-7040

Secondary Contact (in event primary not available) Kevin Rohani

E-Mail Address: rohani@ci.oakley.ca.us Telephone: (925) 625-7003

**Short Title Description of Project: Vintage Parkway Bike and Pedestrian Pathway Connecting to the Big Break Trail**

Amount of claim: \$110,500

**Functional Description of Project:**

**This project will connect Vintage Parkway, a major City thoroughfare, to the existing East Bay Regional Park – Big Break Regional Shoreline Trail with a bicyclist and pedestrian path. The project will implement construction of a 1,000-foot-long, 10-foot-wide asphalt path through land owned by the City of Oakley. This improvement will provide a safe pedestrian/bicyclist corridor from one of the City’s busiest streets to the existing Regional Park System along the Delta. It will also provide a safe route to Vintage Parkway Elementary School for parents and students. The trail will be lined with xeriscape native shrubs and waterwise trees for shading the pathway. Planned irrigation would be minimal to establish the trees and shrubs and maintain the xeriscape.**

**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: Site Clearing, Grading, Pathway Construction, Fencing, Signage, Bollards, Planting and Irrigation, Inspection, and Contingency.**

<b>Funding Source</b>	<b>All Prior FYs</b>	<b>Application FY</b>	<b>Next FY</b>	<b>Following FYs</b>	<b>Totals</b>
TDA Article 3 (Clearing, Construction)		\$110,500			\$110,500
list all other sources:					
1. City funds (Public Works – Design, Signage, Inspection)		\$19,500			\$19,500
2.					

3.					
4.					
<b>Totals</b>		\$130,000			\$130,000

<b>Project Eligibility:</b>	<b>YES/NO</b>
<b>A.</b> Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	Yes 12/8/2015
<b>B.</b> Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	No
<b>C.</b> 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: <a href="http://www.dot.ca.gov">http://www.dot.ca.gov</a> ).	Yes
<b>D.</b> 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: _____	Yes
<b>E.</b> 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
<b>F.</b> Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) <b>9/2017</b>	Yes
<b>G.</b> 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