

**RESOLUTION NO. 74910**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2009-2010 TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3 (TDA 3) GRANT FUNDING IN AN AMOUNT NOT TO EXCEED \$982,087 AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE GRANT DOCUMENTS**

**WHEREAS**, Article 3 of the Transportation Development Act (“TDA 3”), 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. 875, Revised, entitled “Transportation Development Act, Article 3, Pedestrian/Bicycle Projects,” which delineates procedures and criteria for submission of requests for the allocation of TDA 3 funding; and

**WHEREAS**, MTC Resolution No. 875, Revised requires that requests for the allocation of TDA 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 San José (“City”) desires to submit a request to MTC for the allocation of TDA 3 funds to support the projects in Attachment A to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists;

**NOW, THEREFORE,** BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City of San José declares it is eligible to request an allocation of TDA 3 funds pursuant to Section 99234 of the Public Utilities Code.
2. There is no pending or threatened litigation that might adversely affect the project or projects described in Attachment A to this resolution, or that might impair the ability of the City of San José to carry out the project.
3. The City of San José attests to the accuracy of and approves the statements in Attachment A to this Resolution.
4. The list of proposed bicycle and pedestrian projects identified in Attachment A of this resolution for the TDA 3 grant funding program for fiscal year 2009-2010 is hereby approved.
5. 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 Santa Clara County for submission to MTC as part of the countywide coordinated TDA 3 claim.
6. The City Manager is further authorized to negotiate and execute the necessary grant documents to effectuate the grant funding from the TDA 3 grant program funds awarded to the City for fiscal year 2009-2010 for any of the projects contained in Attachment A of this resolution, in an amount not to exceed \$982,087.

ADOPTED this 19<sup>th</sup> day of May, 2009, by the following vote:

AYES: CHU, CONSTANT, KALRA, LICCARDO, NGUYEN,  
OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: CAMPOS, CHIRCO, HERRERA.

DISQUALIFIED: NONE.

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CHUCK REED  
Mayor

ATTEST:

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LEE PRICE, MMC  
City Clerk

**ATTACHMENT A**  
**Proposed Projects for FY 2009-10**  
**Transportation Development Act, Article 3 (TDA 3) Funding**

<b>1. Citywide Curb Ramps</b> (citywide) Install ADA compliant curb ramps at corners and pedestrian crossings. These funds will supplement the City's existing curb ramp installation program.	\$100,000
<b>2. Pedestrian &amp; Bicycle Safety Education</b> (citywide) Provide public safe bicycling classes for children and adults.	\$50,000
<b>3. Bicycle Facility Implementation</b> (citywide) Install Class I, II, and III bicycle facilities (including signage, striping, and bicycle-friendly signal detection) in multiple projects including the following corridors: <ul style="list-style-type: none"><li>• Allen Ave (Calero to Santa Teresa)</li><li>• Calero-Palmia-Cottle</li><li>• Curtner-Hwy 87 Bikeway</li><li>• Monroe-Downing-Stokes-Leigh</li><li>• Park-San Fernando-San Antonio</li><li>• River Oaks Parkway (Guadalupe River Trail to Coyote Creek Trail)</li><li>• Silver Creek Valley Rd (Coyote Creek Trail to Hellyer)</li><li>• White Oaks-Charmeran (Los Gatos Creek Trail to Leigh)</li><li>• Williams (De Anza to Monroe)</li><li>• Yerba Buena (Nieman to Thompson Creek)</li></ul>	\$832,087
<b>TOTAL</b>	<b>\$ 982,087</b>