

**RESOLUTION NO. 2017-XXX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, RATIFYING THE SUBMITTAL OF A TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDING APPLICATION FOR FY 17/18 AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL GRANT DOCUMENTS AND AGREEMENTS ON BEHALF OF THE CITY FOR SIDEWALK AND PEDESTRIAN LEVEL LIGHTING INSTALLATION WITHIN LOGVY PARK AT 1745 WASHINGTON STREET**

1  
2       **WHEREAS**, Article 3 of the Transportation Development Act (TDA), Public  
3 Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a  
4 regional transportation planning agency for the funding of projects exclusively for the  
5 benefit and/or use of pedestrians and bicyclists; and

6       **WHEREAS**, the Metropolitan Transportation Commission (MTC), as the regional  
7 transportation planning agency for the San Francisco Bay region, has adopted MTC  
8 Resolution No. 875, Revised, entitled "Transportation Development Act, Article 3,  
9 Pedestrian/Bicycle Projects," which delineates procedures and criteria for submission of  
10 requests for the allocation of "TDA Article 3" funding; and

11       **WHEREAS**, MTC Resolution No. 875, Revised requires that requests for the  
12 allocation of TDA Article 3 funding be submitted as part of a single, countywide  
13 coordinated claim from each county in the San Francisco Bay region; and

14       **WHEREAS**, the City of Calistoga desires to submit a request to MTC for the  
15 allocation of TDA Article 3 funds to support sidewalk and pedestrian level lighting  
16 installation within Logvy Park, which is for the exclusive benefit and/or use of  
17 pedestrians and/or bicyclists.

18       **NOW, THEREFORE, BE IT RESOLVED** that:

19       The City of Calistoga declares it is eligible to request an allocation of TDA Article  
20 3 funds pursuant to Section 99234 of the Public Utilities Code.

21       There is no pending or threatened litigation that might adversely affect the project  
22 as described herein, or that might impair the ability of the City of Calistoga to carry out  
23 the project; and furthermore.

24       The City of Calistoga attests to the accuracy of and approves the statements in  
25 Attachment A to this resolution; and furthermore.

26       A certified copy of this resolution and its attachments, and any accompanying  
27 supporting materials shall be forwarded to the congestion management agency,  
28 countywide transportation planning agency, or county association of governments, as  
29 the case may be, of Napa County for submission to MTC as part of the countywide  
30 coordinated TDA Article 3 claim.

32 **APPROVED AND ADOPTED** by the City Council of the City of Calistoga at a  
33 regular meeting held this **18<sup>th</sup> day of April, 2017**, by the following vote:

34 **AYES:**  
35 **NOES:**  
36 **ABSTAIN:**  
37 **ABSENT:**

38 \_\_\_\_\_  
39 **Chris Canning, Mayor**

40  
41 **ATTEST:**

42 \_\_\_\_\_  
43  
44 **Kathy Flamson, City Clerk**

## **Attachment A**

### **Findings**

1. That the City of Calistoga 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 Calistoga legally impeded from undertaking the sidewalk and lighting installation located within a public park.
2. That the City of Calistoga has committed adequate staffing resources to complete the project.
3. A review of the sidewalk and lighting installation 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.
4. Issues attendant to securing environmental and right-of-way permits and clearances for the installation of the sidewalk and lighting has 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 installation of the sidewalk and lighting is exempt from the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description of the project, the sources of funding other than TDA are assured and adequate for completion of the project.
7. That the project is for capital construction and an allocation of TDA Article 3 funding for such a plan has not been received by the City of Calistoga within the prior five fiscal years.
8. That the project has been included in the City's General Plan Circulation Element and within the City's Active Transportation Plan.
9. The project meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project is ready to commence implementation during the fiscal year of the requested allocation.
11. That the City of Calistoga agrees to maintain, or provide for the maintenance of, the sidewalk and lighting within Logvy Park, for the benefit of and use by the public.