

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE (1) AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO SUBMIT A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION (“MTC”) FOR THE ALLOCATION OF FISCAL YEAR 2023-2024 TRANSPORTATION DEVELOPMENT ACT, ARTICLE 3 (“TDA3”) STATE GRANT FUNDING IN THE AMOUNT OF \$787,462 FOR CITYWIDE BICYCLE AND PEDESTRIAN PROJECTS; (2) MAKING THE CERTIFICATIONS AND ASSURANCES REQUIRED UNDER THE GRANT PROGRAM; AND (3) AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO ACCEPT ANY GRANT FUNDING AWARDED FROM MTC AND TO NEGOTIATE AND EXECUTE ANY GRANT DOCUMENTS TO EFFECTUATE THE GRANT**

**WHEREAS**, the State of California, Transportation Development Act, Article 3 (“TDA3”) grant provides annual funding for the improvement of pedestrian and bicycle transportation infrastructure, which funds are derived from State sales tax and distributed based on population; and

**WHEREAS**, the Metropolitan Transportation Commission (“MTC”) administers the grants for the San Francisco Bay region, selecting projects based on recommendations from member agencies, and the Santa Clara Valley Transportation Authority coordinates the local project selection process; and

**WHEREAS**, the TDA3 grant program generally funds minor (low cost) pedestrian and bicycle projects and for Fiscal Year 2023-2024 the City of San José (“City”) expects to receive \$787,462 in TDA3 funds, which is proposed to be used for Citywide projects including installation of bikeways throughout the City pursuant to implementation of *Better Bike Plan 2025*, installation of bicycle parking facilities citywide, including bicycle racks and lockers, and bicycle and pedestrian safety and education programs that align with *San José Vision Zero Program*; and

**WHEREAS**, as part of the grant process, MTC requires the City Council to adopt a resolution making certain findings described in Attachment A to this Resolution; and

**WHEREAS**, the City desires to submit a request to MTC for the allocation of TDA3 funds to support the projects described in Attachment B to this Resolution, which may be amended from time to time;

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

1. The City Manager, or designee, is authorized to submit a request to the Metropolitan Transportation Commission (“MTC”) for the allocation of Fiscal Year 2023-2024 Transportation Development Act, Article 3 (“TDA3”) State grant funding in the amount of \$787,462 for Citywide Bicycle and Pedestrian projects.
2. The City of San José (“City”) makes the certifications and assurances required under the grant program.
3. The City Manager, or designee, is further authorized to accept any grant funding awarded from MTC and to negotiate and execute any grant documents to effectuate the grant.

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ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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MATT MAHAN  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk

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 City of San José 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 San José legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the City of San José 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 San José 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.

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5/25/2023

10. That the project(s) described in Attachment B will be completed before the funds expire.
11. That the City of San José 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.

*October 2013*

*Model resolution for TDA Article 3 County Administrators*

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T-16024.033\ 2025423  
Council Agenda: 06-06-2023  
Item No.: 2.19

**DRAFT – Contact the Office of the City Clerk at (408) 535-1260 or [CityClerk@sanjoseca.gov](mailto:CityClerk@sanjoseca.gov) for final document.**

**ATTACHMENT B**  
**Proposed Projects for FY 2023-24**  
**Transportation Development Act, Article 3 (TDA3) Funding**

|   |                        |
|---|------------------------|
| <b>1. Citywide Bikeway Implementation</b>   | <b>\$637,462</b>       |
| Install bikeways throughout the City as part of Better Bike Plan 2025.                                    |                        |
| <b>2. Citywide Bicycle Parking Program Implementation</b>   | <b>\$50,000</b>        |
| Install bicycle parking facilities citywide, including bicycle racks and lockers.                         |                        |
| <b>3. Citywide Bicycle and Pedestrian Safety and Education</b>  | <b>\$100,000</b>       |
| Support pedestrian and bicycle safety education efforts that align with the San José Vision Zero Program. |                        |
| <b>TOTAL</b>  | <hr/> <b>\$787,462</b> |