

**January 15, 2014  
NCTPA Board of Directors  
Meeting Handouts**

- 1. Revised Attachment 1 to Agenda Item 9.4 – Transportation Development Act-Article 3 (TDA-3) Call for Projects (Correcting the Application Due Date to March 7, 2014)**



Guide and Application for  
Transportation Development Act – Part 3 (TDA-3) Funds  
for Napa County

FY 2013-14 and FY 2014-15 Applications  
Due to NCTPA: March 7, 2014

NCTPA  
625 Burnell Street  
Napa, CA 94559  
Phone: 707-259-8631  
Fax: 707-259-8638  
[www.nctpa.net](http://www.nctpa.net)

January 16, 2014

The Napa County Transportation and Planning Agency is pleased to announce a Call for Projects for Transportation Development Act, Part 3 (TDA-3) funds available to Napa County jurisdictions.

The TDA-3 program is a grant program, funded by approximately 2% of the ¼ cent Statewide Sales Tax. This generates approximately \$125,000 per year in revenues for Napa jurisdictions. The purpose of the TDA-3 program is to provide grants for local bicycle and pedestrian projects.

The TDA-3 program can fund a wide range of project types, including for capital construction and/or design engineering of bicycle and pedestrian projects; and/or for the maintenance of a Class I 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 (once every 5 years),

NCTPA is pleased that your agency or organization has chosen the TDA-3 program as a potential funding source to complete your eligible project. This packet has been created to help guide you in submitting a successful application for funding.

The available funding for Napa County TDA-3 projects for FY 2013-14 and FY 2014-15 will be approximately \$458,057 dollars. The TDA Applications will be due to NCTPA by 5:00 PM on Friday, March 7, 2014.

If you have any questions, you may contact Eliot Hurwitz, TDA-3 Program Manager at:

625 Burnell Street  
Napa, CA 94559  
Phone: 707-259-8631

Sincerely,

Kate Miller  
Executive Director  
Napa County Transportation & Planning Agency

## **The TDA-3 Program**

The State Legislature passed the Transportation Development Act (TDA) in 1971. The TDA provides one of the major funding sources for public transportation in California. Transportation Development Act (TDA) funds are generated from a statewide ¼ cent sales tax. Article 3 of TDA is a set-aside of approximately 2% of those monies. Under Article 3 of the TDA, funds are also used by local jurisdictions for bicycle and pedestrian projects.

The Metropolitan Transportation Commission (MTC) administers TDA3, which is distributed based on population. Each year, an annual fund estimate or “entitlement” is developed for each jurisdiction. Unused “entitlement” is accumulated as credit. A jurisdiction’s claim in any given year cannot exceed the sum of their accumulated credit plus their projected entitlement for the following two years.

Funds are obtained by local jurisdictions via a three-step process: (1) apportionment, (2) allocation, and (3) payment (reimbursement). Apportionment in the San Francisco Bay Area follows a Metropolitan Transportation Commission (MTC) formula based upon population. Allocation is the discretionary action by MTC that designates funds for a specific claimant for a specific purpose. NCTPA submits TDA allocation requests to MTC on a regular basis, and unused TDA funds allocated to any project may be rolled over from one fiscal year to the next. No matching funds are required, but the project must meet the funding objectives and be developed in cooperation with the community. The basic objectives of the grant source are to fund projects that increase the safety, security, and efficiency of bicycle and pedestrian travel, and to provide for a coordinated system. The MTC requires supporting resolutions from the sponsoring Council.

There are no matching requirements with this funding source. TDA 3 projects are required to meet Caltrans safety design criteria and CEQA requirements; be completed within three years; be maintained; be consistent with adopted bicycle plans; and be authorized by a governing council or board.

This “Call for Projects” will be issued on January 16, 2014, upon approval by the NCTPA Board of Directors. In addition to the application, project sponsors must deliver documentation of environmental clearance and maps/documents showing project locations and design parameters. Projects must be approved by MTC.

As part of the grant process, MTC also requires the City Council to adopt a resolution making certain findings as follows:

- (i) the City is eligible to request grant funding under State law,
- (ii) there is no pending or threatened litigation that adversely affects the project
- (iii) the grant application is accurate,
- (iv) The jurisdiction has committed adequate staffing resources to complete the projects
- (v) The jurisdiction will comply with CEQA,
- (vi) the completed projects will be maintained by the jurisdiction for the benefit of the public, and
- (vii) the adopted resolution will be sent to NCTPA

## **Basic Eligibility for TDA-3 Funding**

TDA Article 3 funds may be used for the following activities relating to pedestrian and bicycle facilities (including sidewalk wheelchair ramps):

- Engineering expenses leading to construction.
- Right-of-way acquisition.
- Construction and reconstruction.
- Retrofitting existing bicycle and pedestrian facilities, including installation of signage, to comply with the Americans with Disabilities Act (ADA).

- Route improvements such as signal controls for cyclists, bicycle loop detectors, rubberized rail crossings and bicycle-friendly drainage grates.
- Purchase and installation of bicycle facilities such as
  - secure bicycle parking,
  - benches, drinking fountains, changing rooms, rest rooms and showers which are adjacent to bicycle trails, employment centers, park-and-ride lots, and/or transit terminals and are accessible to the general public.
- Maintenance of Class I bikeways (unlimited)
- Maintenance of Class II bikeways. Countywide, the total funds allocated to Class II bikeway maintenance cannot exceed 20% of the total countywide TDA estimate
- Bicycle Safety Education Programs (not more than 50% of the project's budget and not more 5% of the countywide TDA Article 3 funds)
- Comprehensive Bicycle & Pedestrian Facilities Plans (not more than once per jurisdiction every 5 years)
- Projects identified in a recent (within 5 years) comprehensive local bicycle or pedestrian plan
- Annual TDA Article 3 Audits

TDA Article 3 funds may not be used to fully fund the salary of any one person working on these programs.

**Bicycle Advisory Committee Requirement**

Cities and counties may not receive TDA Article 3 funds for bicycle projects unless the jurisdiction has established a Bicycle Advisory Committee (BAC) and the project is included in an adopted plan as stipulated in the MTC TDA Article 3 Rules and Procedures. This requirement does not apply to pedestrian projects. For Napa County, the NCTPA Active Transportation Advisory Committee is fulfills this requirement. However, for those jurisdictions with additional local Bicycle Advisory Committees, the approval of that committee is also required.

**Recent Project Examples in Napa County**

<b>Project Name</b>	<b>Sponsor</b>	<b>TDA-3 Funds</b>	<b>Total Project \$</b>	<b>Costs must be incurred by</b>
ADA Curb Ramps, CON	Calistoga	\$60,000	\$60,000	6/30/2015
Rowena Ave Sidewalk Improvements, CON	City of Napa	\$169,000	\$169,000	6/30/2015
SR29 Undercrossing, PE	City of Napa	\$72,000	\$72,000	6/30/2015
Vine Trail – Solano Ave, PE	NCTPA	\$50,000	\$504,000	6/30/2015

**Project Selection Process**

The project selection process is as follows. NCTPA staff will run the prospective projects through an initial qualification process based on project eligibility, and present their findings to the NCTPA Active Transportation Advisory Committee (ATAC) which will serve as the initial selection and prioritization committee. The ATAC recommendations will be forwarded to the NCTPA Technical Advisory Committee (TAC) for their review and recommendation. The recommendation from both Committees will be forwarded to the NCTPA Board for their decision.

Projects will be evaluated on a cost effective and project readiness basis.

### **TDA-3 Project Selection Criteria for Napa County**

#### For Bicycle Projects

- The project is listed in the jurisdiction's adopted Bicycle Plan
- The project priority level is "high" as indicated in the jurisdiction's Bicycle Plan
- Environmental Clearance is secured

#### For Pedestrian Projects

- The project is listed in the jurisdiction's Capital Improvement Plan
- Environmental Clearance is secured

Additional credit will be given to projects that

- are on the Countywide "Primary Bikeway Network"
- provide additional local matching funds (not required)

**Application Instructions:**

TDA-3 project applications for FY 2013-14 must be submitted to NCTPA no later than 5:00 pm on Friday March 7, 2014. Applications may be emailed to Eliot Hurwitz at [ehurwitz@nctpa.net](mailto:ehurwitz@nctpa.net). Applications must include:

- MTC project application (attached)
- Resolution of local support following MTC requirements (attached)

**What Happens After Submission of the TDA-3 application?**

After applications are submitted to NCTPA the evaluation process will begin. NCTPA plans on the following action timeline:

<b>ITEM</b>	<b>DATE</b>
Board Approval – Call For Projects	January 15, 2014
Issue Call For Projects	January 16, 2014
TDA-3 Applications - due to NCTPA by 5:00 PM	March 7, 2014
Draft Program Review by ATAC	March 24, 2014
Draft Program Review by TAC	April 3, 2014
Board Approval – Program of Projects	April 16, 2014
Execute Funding Agreements	June 15, 2014

**Contact Information**

Napa County TDA-3 Program Manager:  
Eliot Hurwitz  
625 Burnell Street  
Napa, CA 94559  
Phone: (707) 259-8782  
[ehurwitz@nctpa.net](mailto:ehurwitz@nctpa.net)

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Metropolitan Transportation Commission  
TDA & RM2 Operating Program Manager  
Cheryl Chi  
510-817-5939  
[cchi@mtc.ca.gov](mailto:cchi@mtc.ca.gov)

# Metropolitan Transportation Commission

## Transportation Development Act Article 3 Funds Bicycle and Pedestrian Projects

### **Instructions for the Use of the Model Governing Body Resolution by Claimants**

*(A model resolution follows these instructions)*

The model resolution contains four parts:

1. Abstract of the purpose of the resolution (optional)
2. Body of the Resolution
3. Attachment A to the Resolution – Required Findings
4. Attachment B to the Resolution – MTC Claim Form(s)

All TDA Article 3 claimants should use this model resolution since it includes proper wording for findings to be made by the claimant.

One resolution may be used for requesting allocations for multiple projects.

A claimant may reformat the resolution for administrative purposes, but any wording changes should be approved by MTC in advance.

Attachment A, the “Findings,” must be included as part of the resolution. If you have questions about revising any of the text in the resolution or in Attachment A, or altering any of the findings, please contact MTC for prior approval.

For attachment B – local Congestion Management agency or county-approved forms may be used in lieu of MTC’s standard format if basic identifying information about the project and the project sponsor is included. A separate “Project Application” form must be used for each project. If the claim covers multiple projects, the multiple claim forms still constitute only one Attachment B. In other words, Attachment B can be one to “n” number of claim forms, and the total number of pages of Attachment B is the total number of pages of all of the claim forms (including any accompanying pages).

Where you see **INSERT NUMBER**, insert – in black type – the number you assign to the resolution.

Where you see **INSERT NAME OF CLAIMANT**, insert – in upper and lower case black type – the official name of the city or county (e.g., “the City of Oakland,” “the County of Solano”).

Where you see **INSERT NAME OF COUNTY**, insert – in upper and lower case black type – the name of the county from which the claim is being submitted (e.g., “Napa County”).

Resolution No. **INSERT NUMBER**  
Abstract [Optional]

This resolution approves the request to the Metropolitan Transportation Commission by the **INSERT NAME OF CLAIMANT** for an allocation of Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for fiscal year **INSERT FISCAL YEAR**.

Resolution No. **INSERT NUMBER**

Re: Request to the Metropolitan Transportation Commission for the allocation of fiscal year **INSERT FISCAL YEAR** 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. 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 Article 3" funding; and

WHEREAS, MTC Resolution No. 875, 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 **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** to carry out the project; and furthermore, be it

RESOLVED, that the **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF COUNTY** for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

The **INSERT NAME OF CLAIMANT** adopted this resolution on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): \_\_\_\_\_  
**TYPE NAME OF CERTIFYING INDIVIDUAL HERE**

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

## Findings

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1. That the **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** legally impeded from undertaking the project(s) described in “Attachment B” of this resolution.
2. That the **INSERT NAME OF CLAIMANT** 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 **INSERT NAME OF CLAIMANT** 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.).
9. That any project described in Attachment B that is a “Class I 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 are ready to commence implementation during the fiscal year of the requested allocation.
11. That the **INSERT NAME OF CLAIMANT** 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.

**TDA Article 3 Project Application Form**

Fiscal Year of this Claim: \_\_\_\_\_ Applicant: \_\_\_\_\_

Contact person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

Secondary Contact (in event primary not available) \_\_\_\_\_

E-Mail Address: \_\_\_\_\_ Telephone: \_\_\_\_\_

**Short Title Description of Project:** \_\_\_\_\_

Amount of claim: \$ \_\_\_\_\_

**Functional Description of Project:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Financial Plan:**

List the project elements for which TDA funding is being requested (e.g., planning, environmental, engineering, right-of-way, construction, inspection, contingency, audit). Use the table below to show the project budget. Include prior and proposed future funding of the project. If the project is a segment of a larger project, include prior and proposed funding sources for the other segments.

**Project Elements:** \_\_\_\_\_

\_\_\_\_\_

Funding Source	All Prior FYs	Application FY	Next FY	Following FYs	Totals
TDA Article 3					
list all other sources:					
1.					
2.					
3.					
4.					
<b>Totals</b>					

Project Eligibility:	YES?/NO?
A. Has the project been approved by the claimant's governing body? (If "NO," provide the approximate date approval is anticipated).	
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	
C. 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> ).	
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation).	
E. 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).	
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	
G. 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: _____)	

\_\_\_\_\_

**Instructions for the Use of the Model Resolution for Use by Countywide Agencies for Submittal of the Countywide Coordinated Claim**

A copy of the resolution follows these instructions.

The exact text of the body of the model resolution must be submitted to MTC; however, a claimant may reformat the resolution for administrative purposes.

Attachment A, the prioritized list of projects, must be completed and included as part of the resolution.

Where you see **INSERT NUMBER**, insert – in black type – the number you assign to the resolution.

Where you see **INSERT NAME OF COUNTY**, insert – in upper and lower case black type – the name of the county from which the claim is being submitted. (e.g., “Napa County”).

Where you see **INSERT NAME OF COUNTYWIDE AGENCY**, insert – in upper and lower case black type – the name of the agency from which the claim is being submitted. (e.g., “Napa County Transportation Planning Agency,” “Solano Transportation Authority,” “Contra Costa County Board of Supervisors,” “Santa Clara Valley Transportation Authority”).

Resolution No. **INSERT NUMBER**

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in **INSERT NAME OF COUNTY**

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. 875, Revised, which delineates procedures and criteria for submission of requests for the allocation of TDA Article 3 funds; and

WHEREAS, MTC Resolution No. 875, Revised requires that requests from eligible claimants for the allocation of TDA Article 3 funds be submitted as part of a single, countywide coordinated claim, composed of certain required documents; and

WHEREAS, the **INSERT NAME OF COUNTYWIDE AGENCY** has undertaken a process in compliance with MTC Resolution No. 875, Revised for consideration of project proposals submitted by eligible claimants of TDA Article 3 funds in **INSERT NAME OF COUNTY**, and a prioritized list of projects, included as Attachment A of this resolution, was developed as a result of this process; and

WHEREAS, each claimant in **INSERT NAME OF COUNTY** whose project or projects have been prioritized for inclusion in the fiscal year **INSERT FISCAL YEAR** TDA Article 3 countywide coordinated claim, has forwarded to the **INSERT NAME OF COUNTYWIDE AGENCY** a certified copy of its governing body resolution for submittal to MTC requesting an allocation of TDA Article 3 funds; now, therefore, be it

RESOLVED, that the **INSERT NAME OF COUNTYWIDE AGENCY** approves the prioritized list of projects included as Attachment A to this resolution; and furthermore, be it

RESOLVED, that the **INSERT NAME OF COUNTYWIDE AGENCY** approves the submittal to MTC, of the **INSERT NAME OF COUNTY** fiscal year **INSERT FISCAL YEAR** TDA Article 3 countywide, coordinated claim, composed of the following required documents:

- A. transmittal letter
- B. a certified copy of this resolution, including Attachment A;
- C. one copy of the governing body resolution and required attachments, for each claimant whose project or projects are the subject of the coordinated claim;
- D. a description of the process for public and staff review of all proposed projects submitted by eligible claimants for prioritization and inclusion in the countywide, coordinated claim;

- E. confirmation that each project meets Caltrans' minimum safety design criteria and is ready to implement within the next fiscal year.

This resolution was adopted by **INSERT NAME OF COUNTYWIDE AGENCY** on **INSERT DATE**.

AYES:

NAYS:

Certified to by (signature): \_\_\_\_\_  
**TYPE NAME OF CERTIFYING INDIVIDUAL HERE**

Resolution No. **INSERT NUMBER**  
Attachment A

Re: Submittal of Countywide Coordinated Claim to the Metropolitan Transportation Commission for the Allocation of Fiscal Year **INSERT FISCAL YEAR** TDA Article 3 Pedestrian/Bicycle Project Funds to Claimants in **INSERT NAME OF COUNTY**

**Prioritized List of Projects**

	Short Title Description of Project	TDA Article 3 Amount	Total Project Cost
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	<b>Totals</b>		