



FAIRFAX TOWN COUNCIL MEETING STAFF REPORT

MEETING DATE January 24, 2023
PREPARED FOR Mayor and Town Council
PREPARED BY Loren Umbertis, Public Works Director
SUBJECT Adopt Resolutions Authorizing a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2023/2024 and 2024/2025 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to 1) Update the Town's Bike and Pedestrian Master Plan and 2) Complete Design and Implement Pedestrian Curb Ramp and Sidewalk Improvements at identified locations.

RECOMMENDATION

Authorize the Town Manager to submit a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2023/2024 and 2024/2025 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to 1) update the Town's Bike and Pedestrian Master Plan and 2) complete design and implement pedestrian curb ramp and sidewalk improvements at identified locations.

DISCUSSION

In July of 2023, the Town of Fairfax submitted three applications to the Transportation Authority of Marin (TAM) for consideration of grant funding for three projects relating to bicycle and pedestrian safety and improvements. Of the three submitted applications, TAM approved two that met the qualifications for the grants. The first was for a project related to pedestrian safety improvements to sidewalks and curb ramps on Claus from Sir Francis Drake to Taylor and at the intersection of Broadway and Bank where current ADA ramps are not currently compliant. The second application requested funds to update the Town's Bicycle and Pedestrian Master Plan, which was last updated in 2016. The third project that was not approved was for physical street improvements to street markings and signage along the Bike 'Spine' School Route. However, updates and improvements will be suggested in the new Master Plan for work to take place in the future, so awaiting results of Master Plan Update and resubmitting the Town's application at a later date may make sense.

In sum, the Town shall receive grant funding from the MTC TDA and TFCA programs in the amount of \$307,917 for these two very important projects. The funds will be allocated from the Metropolitan Transportation Commission (MTC) through TAM to the Town of Fairfax. For the sidewalk improvement project, the Town will receive from the TDA grant a total of \$41,424 in FY23/24 and \$52,083 in FY24/25 for a total of \$93,507. These funds will be augmented by an additional \$131,493 from the Transportation Fund for Clean Air (TFCA) funding source for a grand total of \$225,000 for the identified project. For the Bike Ped Master Plan Update project, the Town has been approved to receive \$82,917 in FY 24/25 for that purpose.

MTC requires that the Town verify and attest that it is not legally impeded from submitting a request for funding, legally impeded from undertaking the projects and that the Town possesses adequate staffing resources to complete the projects. The purpose of the Resolution before the Town Council is to affirm

that we meet the criterion and to allow for the formal request for allocation of the funds as described in the resolution to be submitted to the MTC.

FISCAL IMPACT

There is no cost to the Town for submitting the request to MTC for the funds. However, the Town must use the funds for the projects as described. The application funding amount requests were based upon the best available knowledge of the cost of the sidewalk improvements per previous designs and estimates and previous costs associated with the creation and updating of the previous bike ped master plans. Once funding is received, staff will complete plans and specifications and shall request bids for the construction work related to the sidewalk improvements. Bids may be higher than the existing estimates, so the Town may need to add funding or review the overall scope of the projects. When the funding for the Bike Ped Plan update is approved, staff will seek qualified consultants to assist with the update to the plan.

ATTACHMENT

- A. Resolution to Request TDA Funds for Ped Curb Ramp and Sidewalk Improvement
 - a. Exhibit A - Findings
 - b. Exhibit B – TDA Article 3 Project Application Form
- B. Resolution to request TDA Funds for Update to Bike/Ped Master Plan
 - a. Exhibit A - Findings
 - b. Exhibit B – TDA Article 3 Project Application Form

RESOLUTION 24-__

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX TO AUTHORIZE A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FY 2023/24 AND 24/25 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE IMPROVEMENT 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, 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. 4108, 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 Town of Fairfax desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Exhibit B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Fairfax as follows:

SECTION 1. that the Town of Fairfax declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.

SECTION 2. that there is no pending or threatened litigation that might adversely affect the project or projects described in Exhibit B to this resolution, or that might impair the ability of the Town of Fairfax to carry out the project.

SECTION 3. that the Town of Fairfax attests to the accuracy of and approves the statements in Exhibit A to this resolution.

SECTION 4. that a certified copy of this resolution and its exhibits, 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 Marin County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

The foregoing resolution was duly passed and adopted at meeting of the Town Council of the Town of Fairfax held in said Town on the 24th day of January 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Barbara Coler, Mayor

Attest:

Christine Foster, Deputy Town Clerk

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2023/2024 and 2024/2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

1. That the Town of Fairfax 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 Town of Fairfax legally impeded from undertaking the project(s) described in “Exhibit B” of this resolution.
2. That the Town of Fairfax has committed adequate staffing resources to complete the project(s) described in Exhibit B.
3. A review of the project(s) described in Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 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 Exhibit B are for capital construction and/or final design and engineering or quick build project; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic and/or Class IV separated 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, and an allocation of TDA Article 3 funding for such a plan has not been received by the Town of Fairfax within the prior five fiscal years.
8. That the project(s) described in Exhibit 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.) or responds to an immediate community need, such as a quick-build project.
9. That any project described in Exhibit B bicycle project meets the mandatory minimum safety design criteria published in the California Highway Design Manual or is in a National Association of City and Transportation Officials (NACTO) guidance or similar best practices document.
10. That the project(s) described in Exhibit B will be completed in the allocated time (fiscal year of allocation plus two additional fiscal years).
11. That the Town of Fairfax agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Exhibit B, for the benefit of and use by the public.

TDA Article 3 Project Application Form

1. Agency	Town of Fairfax		
2. Primary Contact	Heather Abrams, Town Manager		
3. Mailing Address	142 Bolinas Road, Fairfax CA 94930		
4. Email Address	habrams@townoffairfax.org	5. Phone Number	415-458-2345
6. Secondary Contact (in the event primary is not available)	Loren Umbertis, Director of Public Works		
7. Mailing address (if different) N/A <input type="checkbox"/>			
8. Email Address	lumbertis@townoffairfax.org	9. Phone Number	415-453-0291
10. Send allocation instructions to (if different from above):			
11. Project Title	Ped Curb Ramp and Sidewalk improvements		
12. Amount requested	\$ 41,424 \$ 52,083	13. Fiscal Year of Claim	FY 2023/24 FY 2024/25

14. Description of Overall Project:

Project includes previously identified and scoped improvements to curb ramps and sidewalks at Bank and Broadway intersection and along Claus and Taylor Drive.

15. Project Scope Proposed for Funding: (Project level environmental, preliminary planning, and ROW are ineligible uses of TDA funds.)

Improvements will include ADA compliant curb ramps and modification of sidewalks along certain lengths.

16. Project Location: A map of the project location is attached or a link to a online map of the project location is provided below:

Locations are identified as Bank and Broadway and along length of Claus/Taylor Drive.

Project Relation to Regional Policies (for information only)		
17. Is the project in an Equity Priority Community ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
18. Is this project in a Priority Development Area or a Transit-Oriented Community ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

19. Project Budget and Schedule

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
Bike/Ped Plan				
ENV				
PA&ED				
PS&E	25,000		25,000	6/2024
ROW				
CON	68,507	131,493	200,00	12/2025
Total Cost			225,000	

Project Eligibility

- A.** Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee?
 Yes
 No X

If "YES," identify the date and provide a copy or link to the agenda.
 If "NO," provide an explanation). Bike Ped Group was disbanded in the past but is in the process of being re-formed.

- B.** Has the project been approved by the claimant's governing body?
 Yes X
 No
 If "NO," provide expected date: _____

- C.** Has this project previously received TDA Article 3 funding?
 Yes
 No X

(If "YES," provide an explanation on a separate page)

D. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual ?	Yes X	No <input type="checkbox"/>
E. 1. Is the project categorically exempt from CEQA, pursuant to CCR Section 15301(c), Existing Facility?	Yes X	No <input type="checkbox"/>
2. If "NO" above, is the project exempt from CEQA for another reason? Cite the basis for the exemption. _____ If the project is not exempt, please check "NO," and provide environmental documentation, as appropriate.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>	No <input type="checkbox"/>

F. Estimated Completion Date of project (month and year):	December 2025	
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, please identify below and provide the agreement.	Yes X	No <input type="checkbox"/>
H. Is a Complete Streets Checklist required for this project?	Yes <input type="checkbox"/>	No X

If the amount requested is over \$250,000 or if the total project phase or construction phase is over \$250,000, a Complete Streets checklist is likely required. Please attach the Complete Streets checklist or record of review, as applicable. More information and the form may be found here:

<https://mtc.ca.gov/planning/transportation/complete-streets>

RESOLUTION 24-__

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX TO AUTHORIZE A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FY 2024/25 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE MASTER PLAN 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, 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. 4108, 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 Town of Fairfax desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in Exhibit B to this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; now, therefore, be it

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Fairfax as follows:

SECTION 1. The Town of Fairfax declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.

SECTION 2. There is no pending or threatened litigation that might adversely affect the project or projects described in Exhibit B to this resolution, or that might impair the ability of the **Town of Fairfax** to carry out the project.

SECTION 3. The Town of Fairfax attests to the accuracy of and approves the statements in Exhibit A to this resolution.

SECTION 4. A certified copy of this resolution and its exhibits, 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 Marin County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

The foregoing resolution was duly passed and adopted at meeting of the Town Council of the Town of Fairfax held in said Town on the 24th day of January 2023, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Barbara Coler, Mayor

Attest: _____
Christine Foster, Deputy Town Clerk

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2024/2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

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5. That the project(s) described in Exhibit 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 Exhibit 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 Exhibit B are for capital construction and/or final design and engineering or quick build project; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic and/or Class IV separated 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, and an allocation of TDA Article 3 funding for such a plan has not been received by the Town of Fairfax within the prior five fiscal years.
8. That the project(s) described in Exhibit 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.) or responds to an immediate community need, such as a quick-build project.
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10. That the project(s) described in Exhibit B will be completed in the allocated time (fiscal year of allocation plus two additional fiscal years).
11. That the Town of Fairfax agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Exhibit B, for the benefit of and use by the public.

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3. Mailing Address	142 Bolinas Road, Fairfax, CA 94930		
4. Email Address	habrams@townoffairfax.org	5. Phone Number	
6. Secondary Contact (in the event primary is not available)	Loren Umbertis, Director of Public Works		
7. Mailing address (if different) N/A <input type="checkbox"/>			
8. Email Address	lumbertis@townoffairfax.org	9. Phone Number	415-453-0291
10. Send allocation instructions to (if different from above):			
11. Project Title	Update to Bike and Ped Master Plan for Fairfax		
12. Amount requested	\$82,917	13. Fiscal Year of Claim	FY 2024/25

14. Description of Overall Project:

Update Master Plan for Bike Ped Improvements in Fairfax. The last plan was updated in 2016 and new technologies and lessons have been learned since that time.

15. Project Scope Proposed for Funding: (Project level environmental, preliminary planning, and ROW are ineligible uses of TDA funds.)

Plan would investigate existing bike/ped infrastructure and suggest areas for improvement and expansion.

16. Project Location: A map of the project location is attached or a link to an online map of the project location is provided below:

The area would include areas already identified in the previous Bike Ped plan but expand to address new technologies including e-bikes and their use and ascertain whether other safety improvements are warranted.

Project Relation to Regional Policies (for information only)		
17. Is the project in an Equity Priority Community ?	Yes <input type="checkbox"/>	No X
18. Is this project in a Priority Development Area or a Transit-Oriented Community ?	Yes <input type="checkbox"/>	No X

19. Project Budget and Schedule

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
Bike/Ped Plan	82,917			
ENV				
PA&ED				
PS&E				
ROW				
CON				
Total Cost	82,917		82,917	December 2025

Project Eligibility

A. Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee?

Yes

No

If "YES," identify the date and provide a copy or link to the agenda.

If "NO," provide an explanation). Bike Ped Group was disbanded but is being re-formed.

B. Has the project been approved by the claimant's governing body?

Yes

No

If "NO," provide expected date:___

C. Has this project previously received TDA Article 3 funding?

Yes

No

(If "YES," provide an explanation on a separate page)

D. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual ?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
E. 1. Is the project categorically exempt from CEQA, pursuant to CCR Section 15301(c), Existing Facility?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
2. If "NO" above, is the project exempt from CEQA for another reason? Cite the basis for the exemption. If the project is not exempt, please check "NO," and provide environmental documentation, as appropriate.	Yes <input type="checkbox"/> N/A <input type="checkbox"/>	No <input type="checkbox"/>

F. Estimated Completion Date of project (month and year):	December 2025	
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, please identify below and provide the agreement.	Yes X	No <input type="checkbox"/>
H. Is a Complete Streets Checklist required for this project?	Yes <input type="checkbox"/>	No X

If the amount requested is over \$250,000 or if the total project phase or construction phase is over \$250,000, a Complete Streets checklist is likely required. Please attach the Complete Streets checklist or record of review, as applicable. More information and the form may be found here: <https://mtc.ca.gov/planning/transportation/complete-streets>