

DATE: April 21, 2009

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Transportation Development Act (TDA) Article 3 Funds FY 2010: Wheelchair Ramps – Authorization to File Application for Funding

RECOMMENDATION

That Council adopts the attached resolution authorizing the filing of an application with the Metropolitan Transportation Commission for Transportation Development Act Article 3 funding in FY2010 to construct wheelchair ramps at various locations in the City.

BACKGROUND

Each year, Transportation Development Act (TDA) funds are made available to cities in Alameda County for construction of bicycle paths, sidewalks, wheelchair ramps, and other pedestrian facilities. One of the conditions for Metropolitan Transportation Commission (MTC) approval of TDA funding is the submittal of a resolution by the governing body of the City authorizing the filing of an application for funds.

Consistent with past City practice and Council's direction, staff plans to submit an application to the MTC for construction of wheelchair ramps at various locations for FY2010. The various ramp locations were selected in accordance with the Curb Ramp Guidelines established in the City's Americans with Disabilities Act (ADA) Transition Plan. The City is now able to complete all the intersections in specific neighborhoods due to the success of the program in prior years. Locations proposed for wheelchair ramp installations are in the downtown and the Sleepy Hollow and Depot Road neighborhoods (see Exhibit A). For cost effectiveness, this method of concentrating on a couple of selected areas was chosen over installing ramps in a few locations within several neighborhoods.

DISCUSSION

Alameda County has provided a preliminary estimate of \$95,956 in TDA Article 3 funds for the City of Hayward to construct the project. The TDA funds will be approved by the MTC upon receipt of the City's final project application. The application materials are due by May 22, 2009, to the Alameda County Public Works Agency. It is anticipated that the Alameda County Board of Supervisors will approve all of the applications by July 14, 2009, and will submit the approved

applications to the MTC. Action by the MTC is expected in August 2009, and the funds are anticipated to be available this fall.

FISCAL AND ECONOMIC IMPACT

Although the City has supplemented TDA funds with Gas Tax funds in the past, no match is required. Thus, there is no impact to the City's general fund.

PUBLIC CONTACT

The City's ramp installation program has been very well received by the public. The program was initiated as a result of requests from the public to improve access to sidewalks for disabled pedestrians.

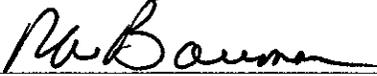
Construction of wheelchair ramps will coincide with sidewalk repair and rehabilitation projects to be scheduled for 2010. When a construction schedule is determined, property owners in the affected neighborhoods will be appropriately notified of the project schedule.

Prepared by:



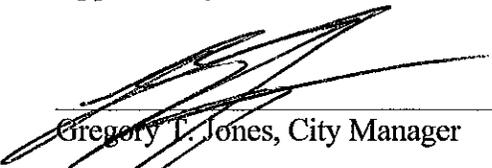
Morad Fakhrai, Deputy Dir. of Public Works

Recommended by:



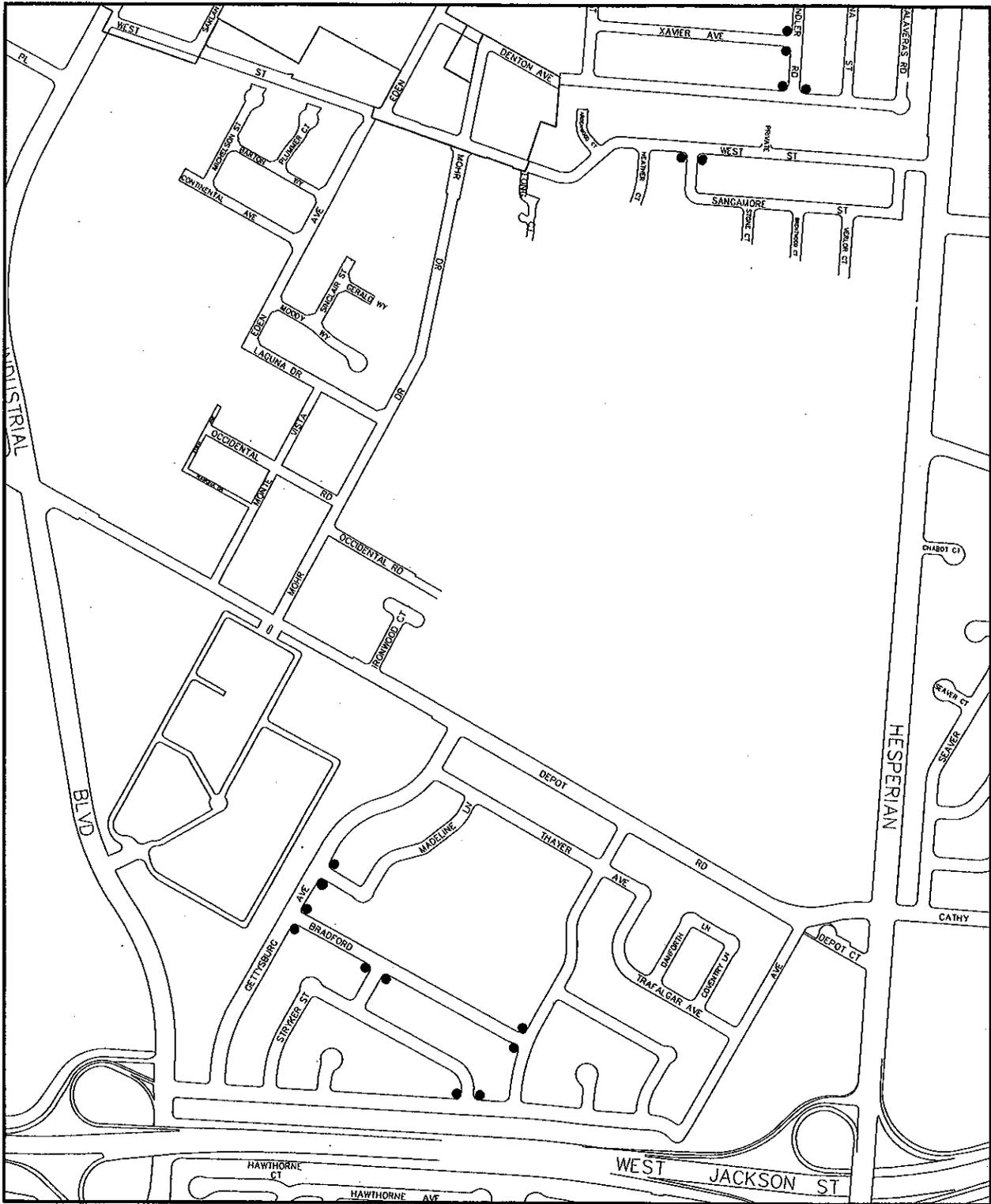
Robert A. Bauman, Director of Public Works

Approved by:

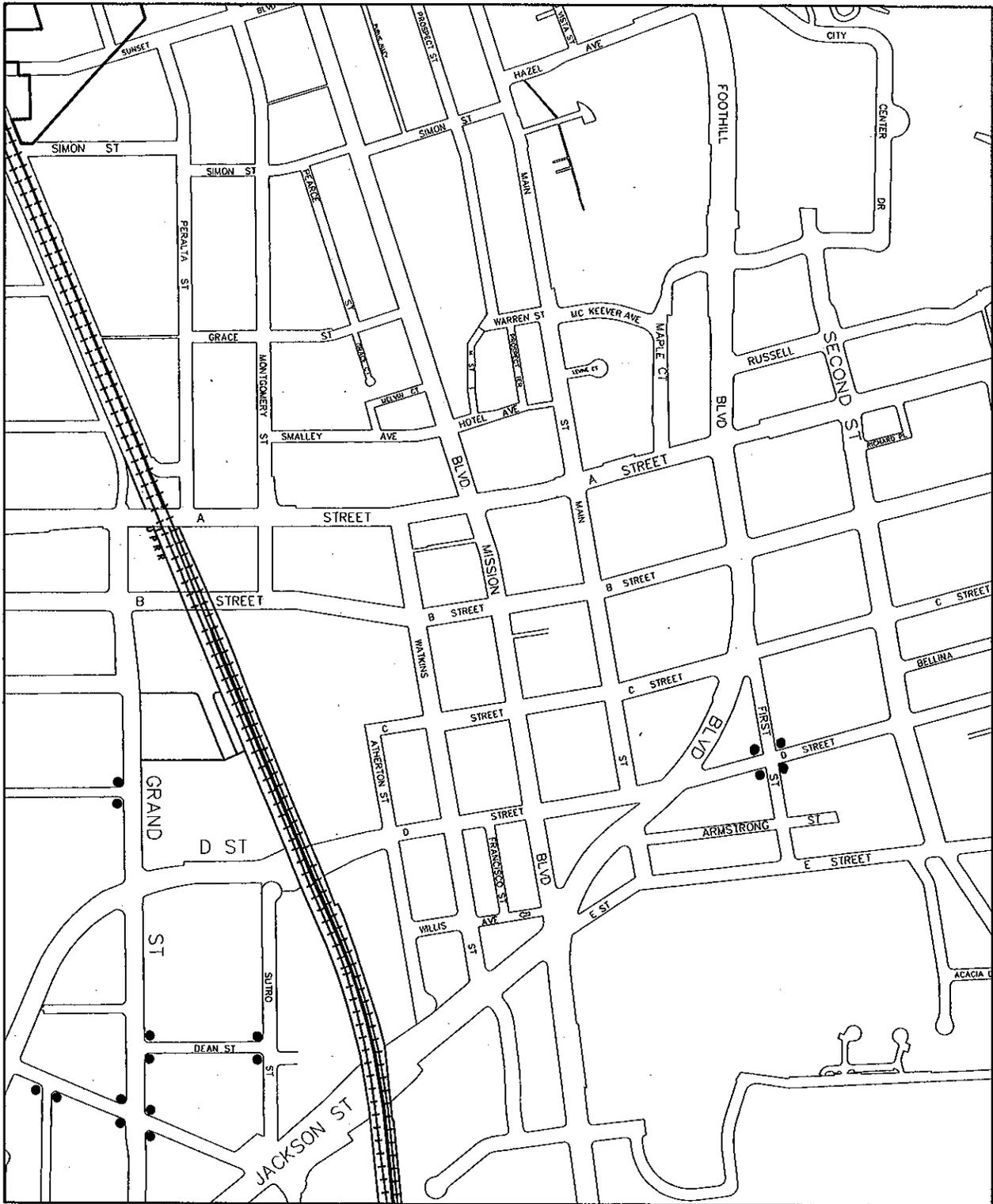


Gregory T. Jones, City Manager

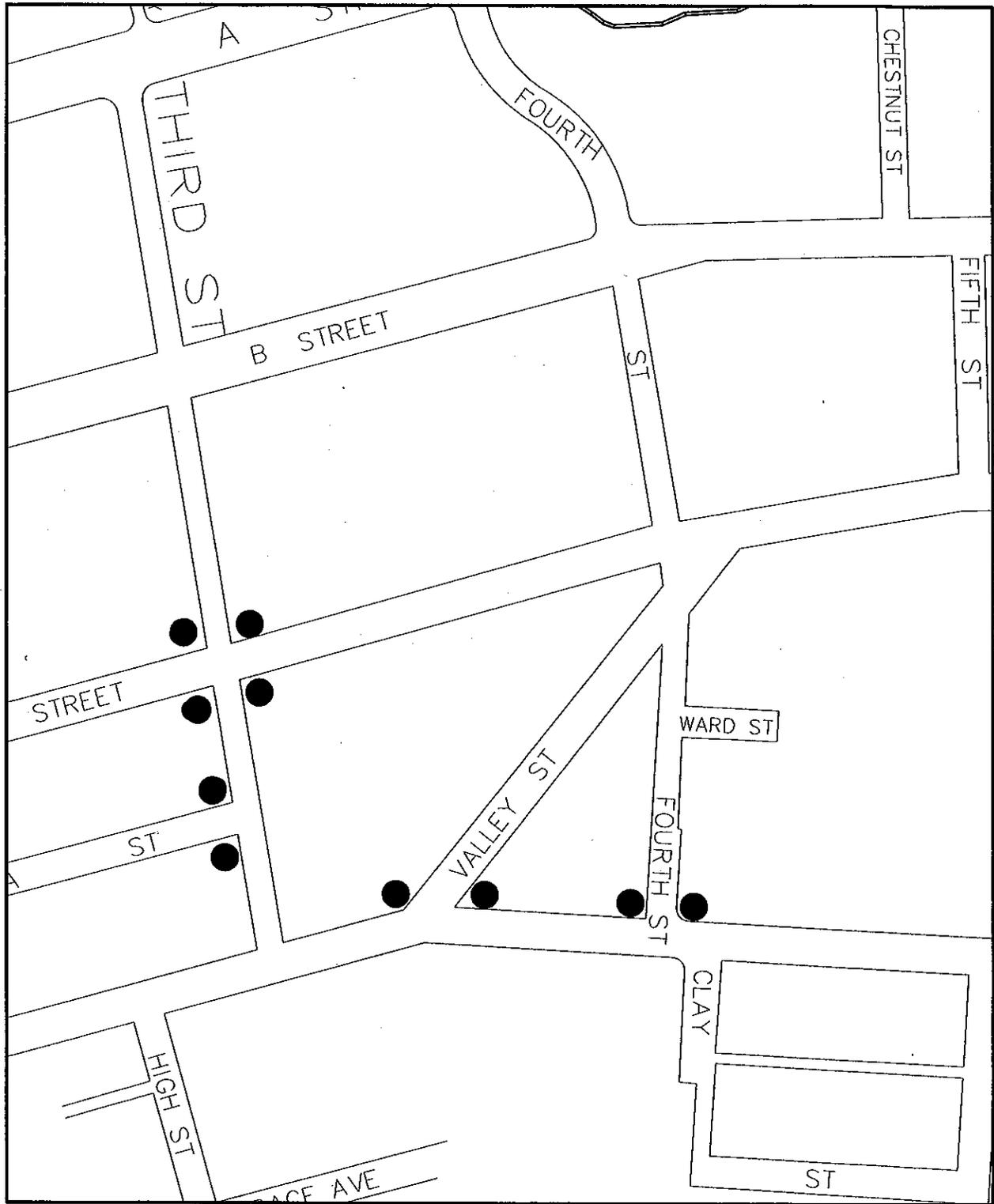
Attachments: Exhibit A: Project Location Map
Draft Resolution



DISTRICT 8- SLEEPY HOLLOW
WHEELCHAIR RAMPS FY2010
PROJECT NO. TBD
LOCATION MAP



DISTRICT 1- DOWNTOWN
 WHEELCHAIR RAMPS FY2010
 PROJECT NO. TBD
 LOCATION MAP



DISTRICT 1- DOWNTOWN
 WHEELCHAIR RAMPS FY2010
 PROJECT NO. TBD
 LOCATION MAP

Exhibit A-3

DRAFT

*NH
4/9/09*

HAYWARD CITY COUNCIL

RESOLUTION NO. 09-

Introduced by Council Member _____

**REQUEST TO THE METROPOLITAN TRANSPORTATION
COMMISSION FOR THE ALLOCATION OF FISCAL YEAR
2010 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3
PEDESTRIAN/BICYCLE PROJECT FUNDING FOR
INSTALLATION OF WHEELCHAIR RAMPS**

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 CITY OF HAYWARD 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 CITY OF HAYWARD declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.

BE IT FURTHER 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 CITY OF HAYWARD to carry out the project.

BE IT FURTHER RESOLVED, that the CITY OF HAYWARD attests to the accuracy of and approves the statements in Attachment A to this resolution.

ATTACHMENT A

1. That the City of Hayward 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 Hayward legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the City of Hayward has committed adequate staffing resources to complete the project(s) described on 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.), and that the City of Hayward is in possession of the document(s) supporting such compliance, said document(s) having been made available for public review and stamped by the County Clerk or County Recorder of the county in which the claimant is located.
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.
8. That the project(s) described in Attachment B are ready to commence implementation during the fiscal year of the requested allocation.
9. That the City of Hayward 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.

Resolution No. _____

Attachment B

page _____ of _____

TDA Article 3 Project Application Form

Fiscal Year of this Claim: 2009/2010 Applicant: City of Hayward

Contact person: Morad Fakhrai

Mailing Address: 777 B Street, Hayward CA 94541

E-Mail Address: morad.fakhrai@hayward-ca.gov Telephone: 510-583-4740

Secondary Contact (in event primary not available) Roxy Carmichael-Hart

E-Mail Address: roxy.carmichael-hart@hayward-ca.gov Telephone: 510-583-4781

Short Title Description of Project: Installation of wheelchair ramps

Amount of claim: \$95,956

Functional Description of Project:
Installation of wheelchair ramps in the – Downtown, Sleepy Hollow and the Depot neighborhoods to provide ADA required access.

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	09/10 Application FY	10/11 Next FY	11/12 Following FYs	Totals
TDA Article 3	838,181	95,956	100,000	120,000	1,154,137
list all other sources:	135,000				135,000
1.					
2.					
3.					
4.					
Totals	973,181	95,956	120,000	120,000	1,289,137

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).	Yes
B. Has this project previously received TDA Article 3 funding? If "YES," provide an explanation on a separate page.	Yes
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: http://www.dot.ca.gov).	n/a
D. Has the project been reviewed by a Bicycle Advisory Committee? (If "NO," provide an explanation).	n/a
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).	Yes
F. Will the project be completed before the allocation expires? Enter the anticipated completion date of project (month and year) _____	Yes
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: _____)	Yes