

FILED
THE CITY CLERK
OAKLAND

CITY OF OAKLAND
2019 MAY -2 PM 3:43

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Ryan Russo
Director, DOT

SUBJECT: TDA Article 3 FY 2019-20 Funds
Approval

DATE: April 22, 2019

City Administrator Approval

Date:

5/1/19

RECOMMENDATION

Staff Recommends That The City Council Adopt:

A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Hundred And Forty-Four Thousand Seven Hundred And Ninety-Six Dollars (\$444,796.00) In Fiscal Year (FY) 2019-20 State Transportation Development Act Article 3 Funds As Follows: (1) Outlook to Hillmont and Parkway Cascade Stair Path Projects, Two Hundred Forty Four Thousand Seven Hundred Ninety Six Dollars (\$244,796.00); (2) Bicycle Signage Program, One Hundred Thousand Dollars (\$100,000.00); (3) Bicycle Parking Program, Seventy Five Thousand Dollars (\$75,000.00); and (4) Bicyclist Safety Education Program, Twenty Five Thousand Dollars (\$25,000.00); and

A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Professional Services Agreement To The East Bay Bicycle Coalition (DBA Bike East Bay) In An Amount Not-To-Exceed Twenty-Five Thousand Dollars (\$25,000.00) To Conduct Bicyclist Safety Education Classes.

EXECUTIVE SUMMARY

Approval of the first resolution will authorize the City Administrator to apply for, accept, and appropriate up to \$444,796.00 in State Transportation Development Act Article 3 funds for Fiscal Year (FY) 2019-20. The grant applications require City Council approval and are due in early June 2019. No matching funds are required to receive these funds, which must be expended within three (3) years of allocation. The grant funds will allow the City to implement priority programs identified by the City of Oakland's Bicycle and Pedestrian Master Plans.

Approval of the second resolution will allow the City Administrator to waive advertising and bidding requirements and award a professional services agreement to the East Bay Bicycle Coalition (DBA Bike East Bay). Bike East Bay will conduct bicyclist safety classes in Oakland, in coordination with other such classes being offered throughout Oakland and Alameda County.

Item: _____
Public Works Committee
May 14, 2019

BACKGROUND / LEGISLATIVE HISTORY

Transportation Development Act (TDA) Article 3 funds are derived from the State of California quarter cent transportation sales tax. Article 3 specifically reserves a portion of these funds for bicycle and pedestrian projects. These funds are distributed annually, on a per capita basis, to jurisdictions statewide. The City of Oakland typically uses these funds to support small bicycle or pedestrian projects citywide.

The Metropolitan Transportation Commission (MTC) administers TDA fund distribution for the San Francisco Bay Area and imposes certain requirements on fund recipients. To accept TDA Article 3 funds, the City must propose projects and determine that: (a) there are no legal impediments or other factors that would affect the City's ability to deliver the project(s); (b) sufficient staff resources and funding are available to complete the projects; and (c) there are no environmental or right-of-way issues that would jeopardize fund obligation deadlines. To claim TDA funds, these findings must be adopted by the City Council and are included as Exhibit A ("Findings") to the resolution. An additional requirement is that projects must be reviewed by the City's Bicyclist and Pedestrian Advisory Commission (BPAC). The BPAC reviewed and endorsed the proposed projects at the BPAC meeting on March 21, 2019.

Oakland Municipal Code (OMC) Title 2, Chapter 2, Article I, Section 2.04.051.A requires the City to conduct a competitive RFQ/P selection process for the procurement of professional services. OMC Section 2.04.051.B permits the City Council to waive the competitive RFQ/P competitive selection requirement upon a finding and determination that it is in the best interests of the City to do so. Staff recommends that the Council find and determine that it is in the best interests of the City to waive the RFQ/P competitive selection requirement and award a contract to Bike East Bay for teaching Bicyclist Safety Education Classes. Bike East Bay is the established leader in bicycle safety training classes throughout Alameda County and has offered such courses in Oakland at recreation centers and libraries, reaching Oakland residents of all ages.

ANALYSIS/ POLICY ALTERNATIVES

Adoption of the first resolution will allow the City to complete its applications for TDA Article 3 funding by the grant deadline in early June 2019. Construction of bicycle and pedestrian facilities is consistent with the goals of the City of Oakland's General Plan, Bicycle Plan, and Pedestrian Plan. The four capital projects were also run through the City's Capital Investment Program (CIP) Prioritization Process as a further confirmation. The selection of projects is consistent with the Council-adopted criteria set forth in the Capital Improvement Program Prioritization Process (Resolution No. 87376 C., M.S., adopted October 16, 2018).

- **Stair Path Rehabilitation Projects:** The Stairs and Paths Program rehabilitates deteriorated stairs, paths, handrails, and landings across the City, maintaining important mid-block points of access and a diverse pedestrian network. Prioritizing projects based on physical condition (40%), proximity to schools/transit (30%) and equity / location in

Communities of Concern (30%), TDA funding would be used to rehabilitate two stair paths projects:

- Outlook to Hillmont in the Eastmont neighborhood. This path is the first in a chain of undeveloped path rights of way that will be developed linking the Eastmont Hills to the Macarthur Boulevard corridor. Destinations include Parker Elementary School and Eastmont Town Center. This project scored 72 in the City's CIP Prioritization Process (see **Attachment A**).
- The Parkway Cascade, on East 20th between Park Boulevard and 5th Ave. This paper street that is actively gardened by neighborhood residents and provides a direct link to FM Smith Park. This project scored 80.5 in the City's CIP Prioritization Process. (see **Attachment B**).
- **The Bicyclist Signage Program** will continue the installation of bicycle guide signs across Oakland's bikeway network. The program follows the City's Design Guidelines for Bicycle Wayfinding Signage (2011). The program includes the installation of bicyclist guide, warning, and regulatory signs, as well as the removal of older bicyclist-related signage that is no longer needed. This project scored 61 in the City's CIP prioritization process. **Attachment C** provides a location map showing likely signage locations.
- **The CityRacks Bicycle Parking Program, Phase 14 (\$75k):** Continue implementation of Oakland's CityRacks Bicycle Parking Program installing publicly-accessible bike parking racks in response to requests from the public and staff. Funding will allow the City to install approximately 150 new bike parking racks; and/or if new eLocker sites are requested and found feasible, funding could be used to purchase and install eLockers. and the number of bike racks would decrease. Current locations in the queue for installation are shown in **Attachment D**. The Bicycle Parking program scored 62 in the City's CIP Prioritization Process
- **The Bicyclist Safety Education Classes Project** will continue a partnership between the Oakland Public Library, Bike East Bay, and Oakland Department of Transportation to offer safety classes at libraries, recreation centers, and other public meeting places throughout Oakland (**Attachment E**). Target audiences include both adults and families with curricula in three languages: English, Spanish, and Cantonese. The grant will fund adult classroom courses, on-street classes, and family workshops for approximately two years. As an operating program, this was not scored in the City's CIP Prioritization Process.

Adoption of the second resolution will allow the City to waive advertising and bidding requirements for a professional services contract with the East Bay Bicycle Coalition to provide the Bicycle Safety Education Classes highlighted above. Oakland has a long-term successful program in collaborating with this non-profit organization, which is uniquely qualified and organized to provide these classes.

FISCAL IMPACT

Without TDA Article 3 grant funding, completion of these projects and programs would require the City to use other fund sources such as Measures B or BB. Using grant funds to augment funding from the City's Capital Improvement Program extends the City's ability to finance needed improvements. Implementation of these projects will have a net positive fiscal impact on the City of Oakland by funding infrastructure upgrades. There is no local match required for this fund source.

Upon award of the grants, funds will be appropriated as follows:

- Outlook to Hillmont Stair Path Project and Parkway Cascade Stair Path Project: Two Hundred Forty-Four Thousand Seven Hundred Ninety-Six Dollars (\$244,796.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Engineering Design Organization (92242), Street Construction Account (57411), and a new project number to be established;
- The Bicycle Signage Program: one hundred thousand dollars (\$100,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Street Construction Account (57411), Project Number to be established;
- *CityRacks Bicycle Parking Program: seventy-five thousand dollars (\$75,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Street Construction Account (57411), Project Number to be established;*
- Bicyclist Safety Education Program; twenty-five thousand dollars (\$25,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Miscellaneous Services Account (53719), Project Number to be established.

PUBLIC OUTREACH / INTEREST

Each year, the list of proposed projects is reviewed by the City's Bicyclist and Pedestrian Advisory Commission (BPAC) to receive input on the proposals and to meet the grant requirements. These meetings are noticed and open to the public. This year, the BPAC considered and endorsed the TDA project list at its March meeting.

Furthermore, OakDOT's Stair/Paths Program also undergoes public review via the BPAC meetings and transparently organizes projects based on asset condition, proximity to schools/transit, and potential to invest underserved areas of Oakland. The entire Stair/Path Program has gone through public outreach in the past.

COORDINATION

The Office of the City Attorney and the Budget Bureau were consulted in preparation of this report.

SUSTAINABLE OPPORTUNITIES

Economic: Bicycle and pedestrian facilities encourage biking and walking, two of the most cost-effective forms of transportation. Bicycle and pedestrian trips tend to be local and thus are more likely to contribute to local economic activity.

Environmental: Bicycling and walking are energy efficient forms of transportation that create no emissions, contributing to the City's efforts to reduce air pollution and address climate change.

Social Equity: The projects improve accessibility and safety for persons who depend on non-motorized transportation and public transit to access jobs, services, and recreational facilities. Biking and walking are inexpensive and broadly accessible forms of transportation.

CEQA

The projects selected for TDA funding are exempt from California Environmental Quality Act, CEQA pursuant to CEQA Guidelines Sections 15060(c)(3) (not a project), 15061(b)(3) (no significant effect), and/or 15301(c) (existing facilities).

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt:

- 1) A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Hundred And Forty-Three Thousand Eight Hundred And Eleven Dollars (\$444,796.00) In Fiscal Year (FY) 2019-20 State Transportation Development Act Article 3 Funds As Follows: (1), Outlook to Hillmont and Parkway Cascade Stair Path Projects, Two Hundred Forty Four Thousand Seven Hundred Ninety Six Dollars (\$244,796.00); (2) Bicycle Signage Program, One Hundred Thousand Dollars (\$100,000.00); (3) Bicycle Parking Program, Seventy Five Thousand Dollars (\$75,000.00); and (4) Bicyclist Safety Education Program, Twenty Five Thousand Dollars (\$25,000.00).
- 2) A Resolution Authorizing The City Administrator To Waive The Advertising And Bidding Requirements For Award Of A Professional Services Agreement To The East Bay Bicycle Coalition (DBA Bike East Bay) In An Amount Not-To-Exceed Twenty-Five Thousand Dollars (\$25,000.00) To Conduct Bicyclist Safety Education Classes.

For questions regarding this report, please contact Bruce Williams, Funding Program Manager, at 510-238-7229.

Respectfully submitted,



RYAN RUSSO
Director, Department of Transportation

Reviewed by:
Wladimir Wlassowsky, P.E.
Assistant Director

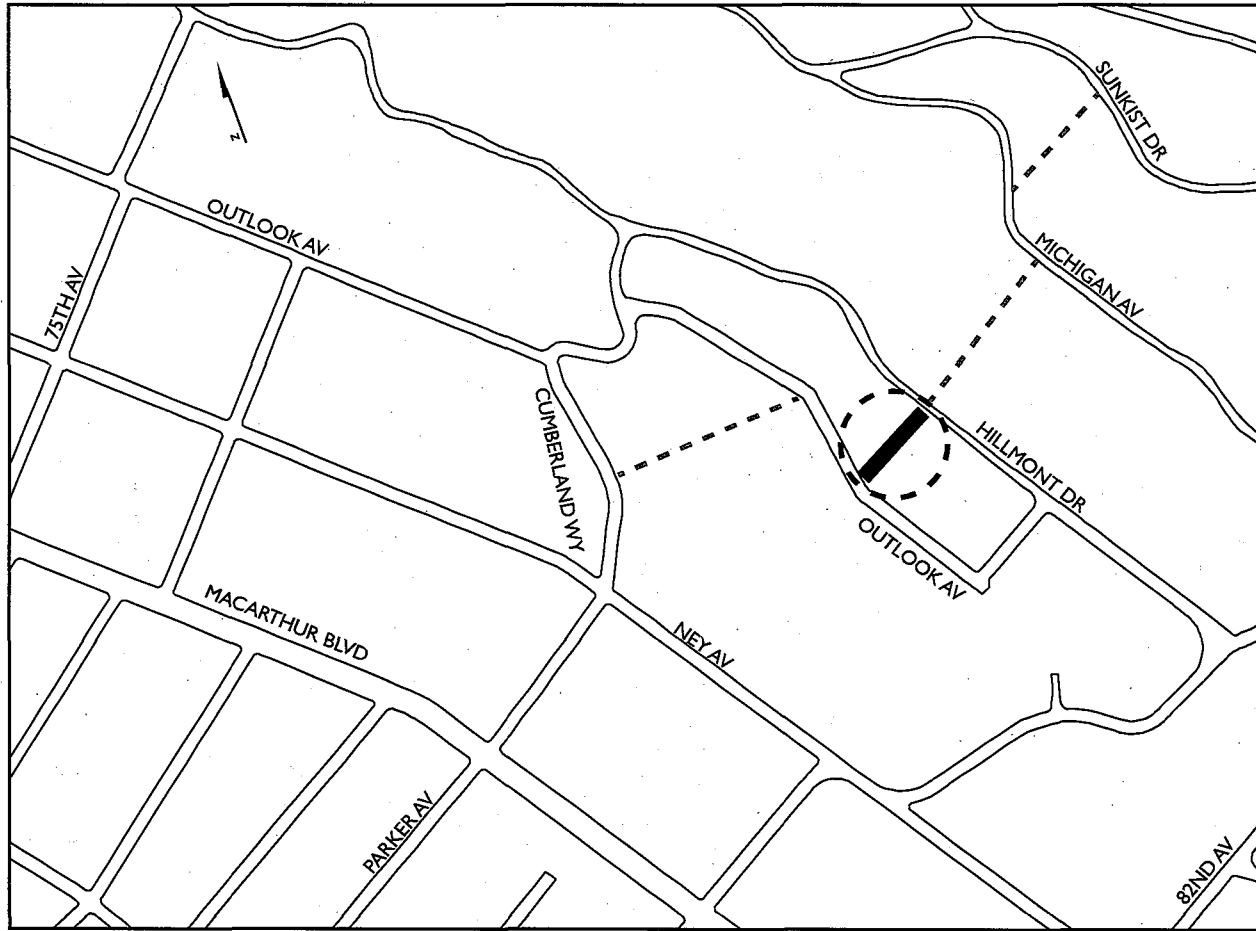
Ariel Espiritu Santo
Division Manager, Strategic Planning and
Administration

Prepared by:
Bruce Williams
Funding Program Manager

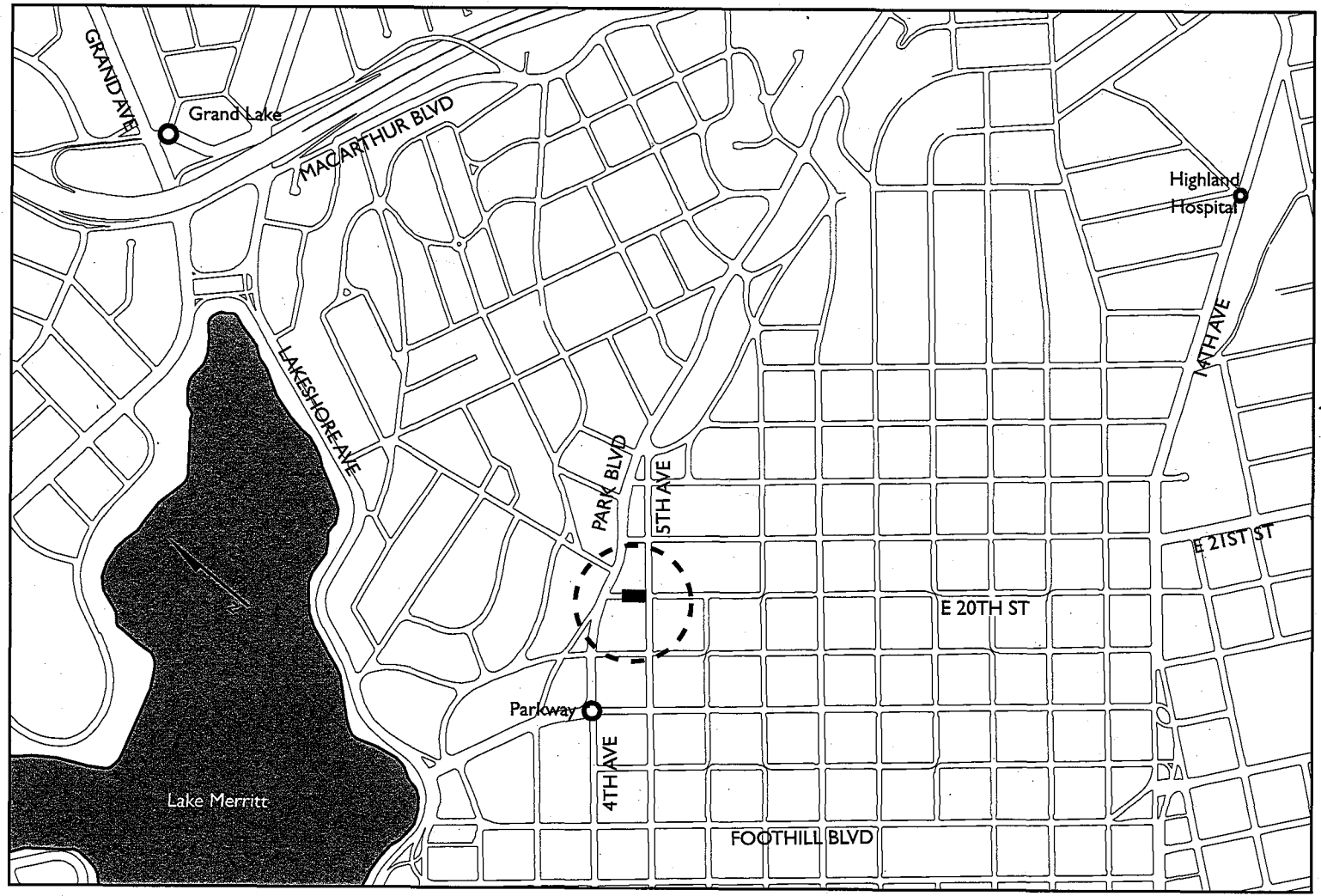
Attachments (5):

- A: Outlook Hillmont Stair Path Map
- B: Park Cascade Stair Path Map
- C: Bicycle Signage Map
- D: CityRacks Bicycle Parking Map
- E: Bicyclist Safety Education Program Map

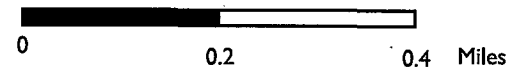
Outlook to Hillmont Stairpath Rehabilitation Project Area



Parkway Cascade (E 20th St) Stairpath Rehabilitation Project Area

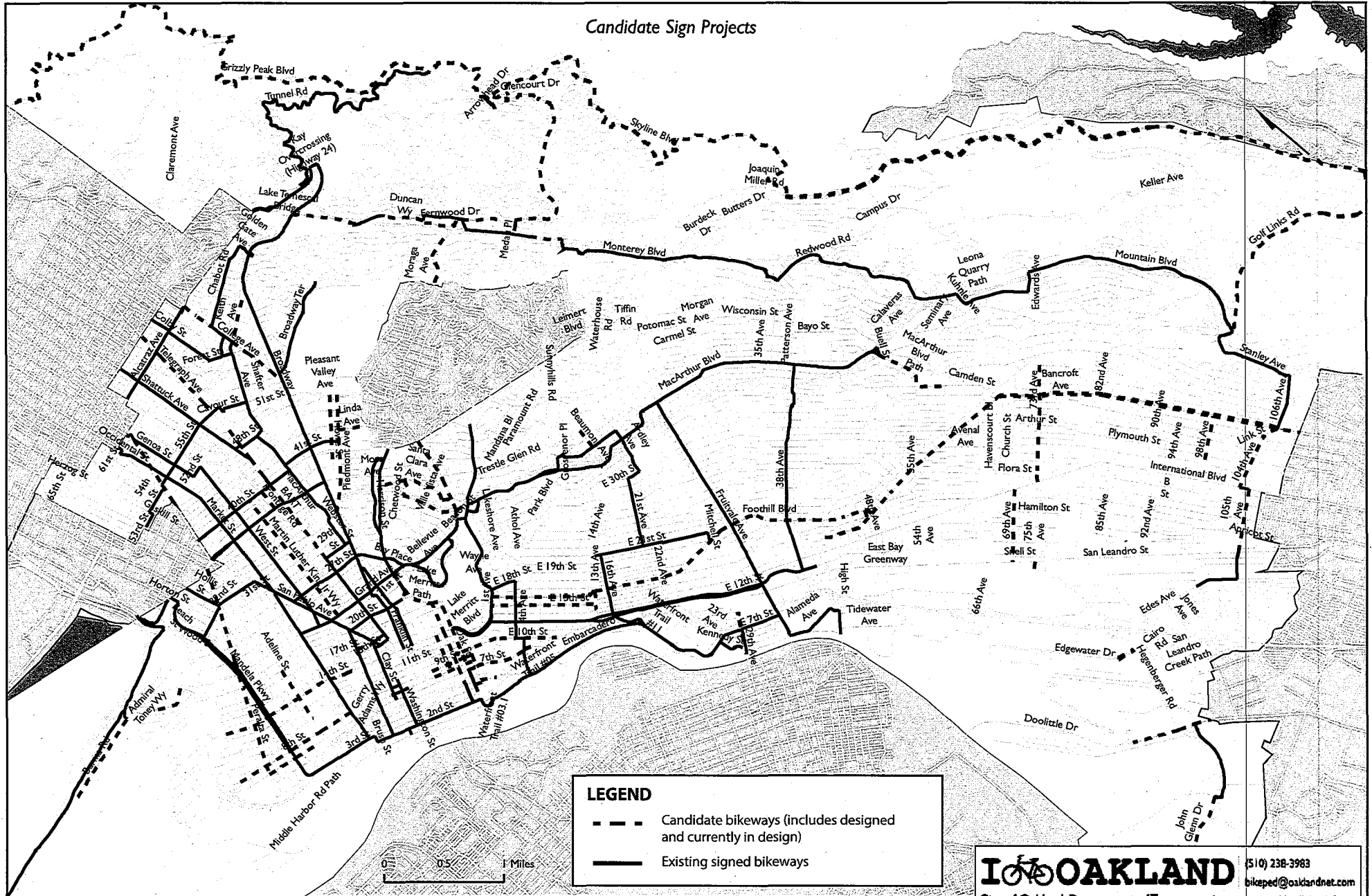


April 2019



City of Oakland Bicyclist Signage Program

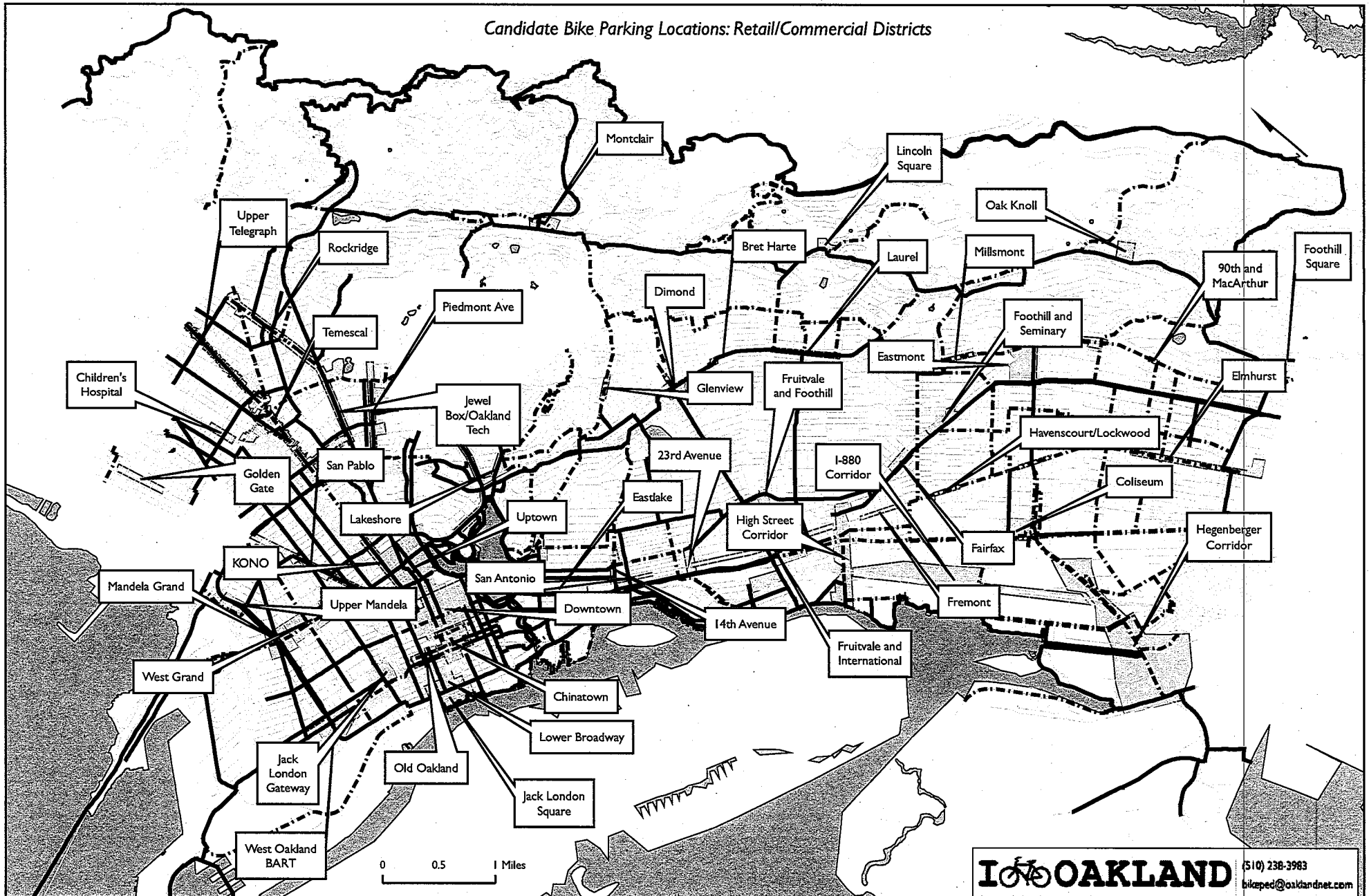
TDA Article 3, FY 19-20



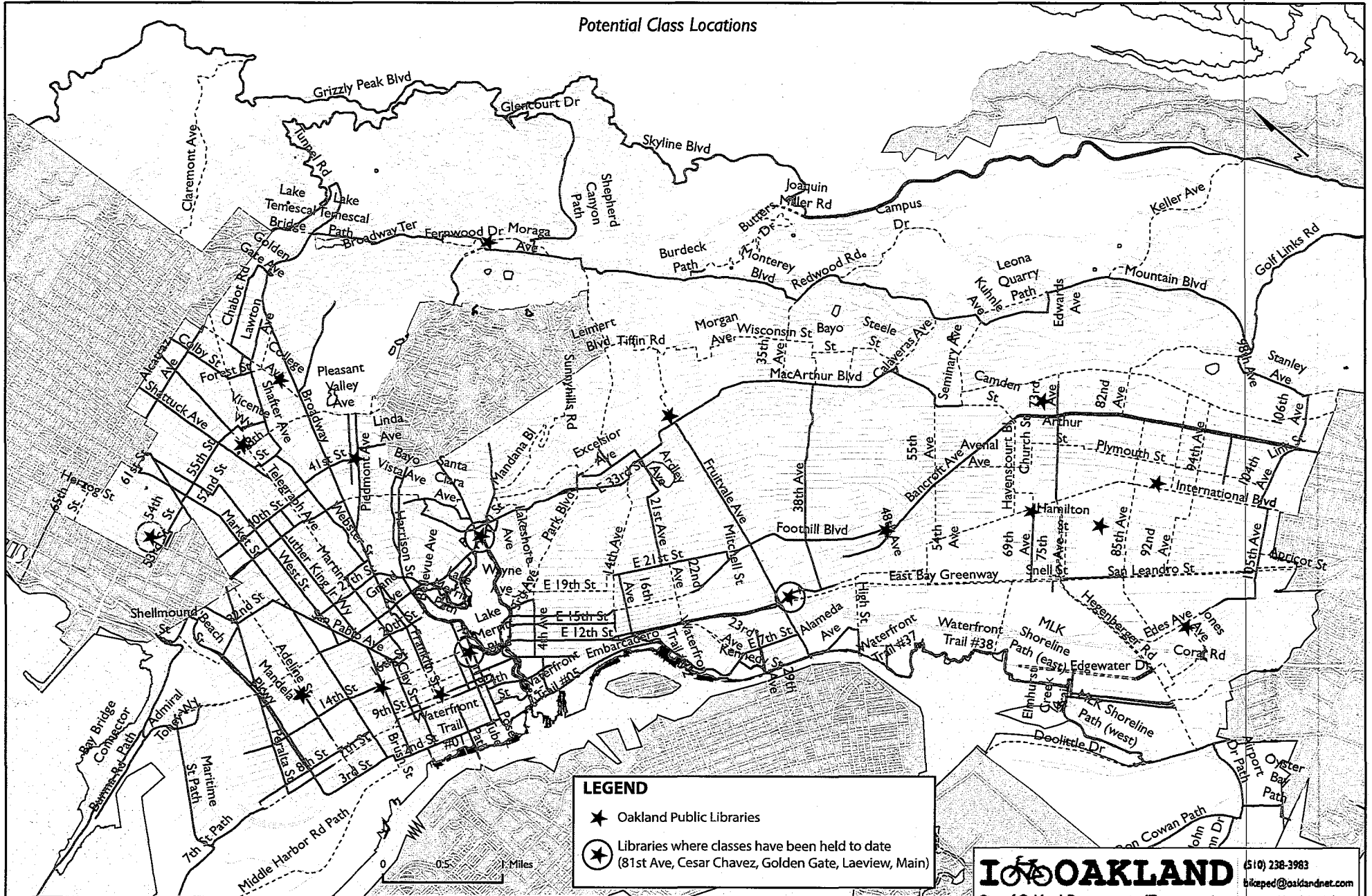
City of Oakland CityRacks Bicycle Parking Program

TDA Article 3, FY 19-20

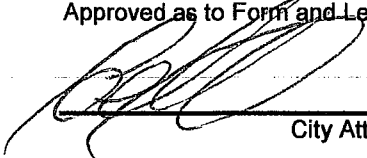
Candidate Bike Parking Locations: Retail/Commercial Districts



City of Oakland Bicyclist Education Program TDA Article 3, FY 19-20



FILED
OFFICE OF THE CITY CLERK
OAKLAND



City Attorney

2019 MAY -2 PM 3:43

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE UP TO FOUR HUNDRED AND FORTY-FOUR THOUSAND SEVEN HUNDRED AND NINETY-SIX DOLLARS (\$444,796.00) IN FISCAL YEAR (FY) 2019-20 STATE TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS AS FOLLOWS: (1) OUTLOOK TO HILLMONT AND PARKWAY CASCADE STAIR PATH PROJECTS, TWO HUNDRED FORTY FOUR THOUSAND SEVEN HUNDRED NINETY SIX DOLLARS (\$244,796.00); (2) BICYCLE SIGNAGE PROGRAM, ONE HUNDRED THOUSAND DOLLARS (\$100,000.00); (3) BICYCLE PARKING PROGRAM, SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00); AND (4) BICYCLE EDUCATION PROGRAM, TWENTY FIVE THOUSAND DOLLARS (\$25,000.00).

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code Section 99200 et seq. authorizes the submission of applications 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, entitled "Transportation Development Act, Article 3, Pedestrian and 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 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 Oakland desires to submit a request through Alameda County to MTC for the allocation of TDA Article 3 funds to support the projects described in the Agenda Report accompanying this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; and

WHEREAS, the requirements of the California Environmental Quality Act (CEQA) have been satisfied; now, therefore be it

RESOLVED, that the City of Oakland declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and be it

FURTHER RESOLVED, that there is no pending or threatened litigation that might adversely affect the projects described in *Exhibit A* to this resolution, or that might impair the ability of the City of Oakland to carry out the projects; and be it

FURTHER RESOLVED, that the projects were reviewed by the City of Oakland's Bicyclist and Pedestrian Advisory Commission (BPAC), fulfilling the requirement for BPAC review stipulated by MTC Resolution No. 4108; and be it

FURTHER RESOLVED, that the City of Oakland attests to the accuracy of and approves the statements in Exhibit A to this resolution; and be it

FURTHER RESOLVED, that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the Alameda County Public Works Agency as part of the countywide coordinated TDA Article 3 claim; and be it

FURTHER RESOLVED, that the projects are exempt from CEQA pursuant to CEQA Guidelines Sections 15060(c)(3), 15061(b)(3), and/or 15301(c), and on a separate and independent basis the projects have environmental clearance under the Environmental Impact Report for the Bicycle Master Plan (2007), certified by City Council Resolution 80959 C.M.S.; and be it

FURTHER RESOLVED, that the City Council hereby authorizes the application, acceptance, and appropriation of Fiscal Year 2019-20 State TDA Article 3 funds in the amount not to exceed \$443,811.00 to be deposited and appropriated as follows: (1) Outlook to Hillmont and Parkway Cascade StairPath Rehabilitation Projects: two hundred forty-four thousand seven hundred ninety-six dollars (\$244,796.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Engineering Design Organization (92242), Street Construction Account (57411), and a new project number to be established; (2) Bicyclist Signage Program, one hundred thousand dollars (\$100,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Street Construction Account (57411), and a new project number to be established; (3) Bicyclist Parking Program, seventy-five thousand dollars (\$75,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Miscellaneous Supplies Account (52919), and a new project number to be established; and (4) Bicyclist Safety Education Classes, twenty-five thousand dollars (\$25,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Miscellaneous Services Account (53719), and a new project number to be

established; and be it

FURTHER RESOLVED, that the City Administrator, or here designee, is authorized on behalf of the City of Oakland to execute and submit all documents, payment requests, and related actions.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Exhibit:

Exhibit A, Findings – Request to the Metropolitan Transportation

EXHIBIT A TO RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FY19-20 FUNDS

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2018-2019 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Funding

1. That the CITY OF OAKLAND 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 OAKLAND legally impeded from undertaking the project(s) described in the application for project funds.
2. That the CITY OF OAKLAND has committed adequate staffing resources to complete the project(s) described in the project application.
3. A review of the project(s) described in the project application 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 the project application 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 the project application 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 the application, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in the application 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 OAKLAND within the prior five fiscal years.
8. That the project(s) described in the application is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in the application that is a 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 the application will be completed before the funds expire.
11. That the CITY OF OAKLAND agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in the project application, for the benefit of and use by the public.