

*[Signature]*  
Oakland City Attorney's Office

OFFICE OF THE CITY CLERK  
OAKLAND

2005 DEC 28 PM 5:37

OAKLAND CITY COUNCIL

RESOLUTION NO. 75688 C.M.S.

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE STATE HAZARD ELIMINATION AND SAFETY (HES) PROGRAM FUNDS IN THE AMOUNT OF THREE HUNDRED SIXTY THOUSAND DOLLARS (\$360,000.00) FOR THE TUNNEL ROAD BICYCLE SAFETY IMPROVEMENT PROJECT**

**WHEREAS**, the State of California Department of Transportation (Caltrans) disburses federal funds from the Hazard Elimination Safety (HES) Program for safety improvements that eliminate or reduce the number and severity of traffic accidents; and

**WHEREAS**, the City of Oakland applied for and was awarded HES funds in the amount of \$360,000.00 for the Tunnel Road Bicycle Safety Improvement Project; and

**WHEREAS**, the HES project will allow the City to design and reconstruct a 300-foot section of Tunnel Road, and install bicycle signage on the length of Tunnel Road, to improve safety for cyclists and other road users; and

**WHEREAS**, the City will provide a local match in the amount of \$40,000.00 from Local Measure B Funds for Federally Funded Projects (Fund 2211, Project C184020); and

**WHEREAS**, the Public Works Agency has requested a waiver of the 1.5% public art fee for this project because HES guidelines prohibit the use of grant funds for public art; now, therefore, be it

**RESOLVED:** That the City Council authorizes the City Administrator, or her designee, to accept and appropriate the Hazard Elimination Safety funds in the amount of \$360,000.00 for Tunnel Road Bicycle Safety Improvement Project; and be it

**FURTHER RESOLVED:** That the City's 1.5% public art fee for this project is hereby waived; and be it

**FURTHER RESOLVED:** That the City Administrator, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 17 2006

**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE - 8

NOES –

ABSENT –

ABSTENTION –

*[Handwritten marks: a large '8' and several circles with a slash through them]*

ATTEST: *[Signature: Latonda Simmons]*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, California