

OFFICE OF THE CITY CLERK

**OAKLAND CITY COUNCIL**

*Patrick J. Lee*  
City Attorney

2006 NOV 16 PM 1:00

RESOLUTION No. 80290 = C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) IN FY 2006-07 ALAMEDA COUNTY MEASURE B BICYCLE AND PEDESTRIAN DISCRETIONARY FUNDS FOR THE EAST 12<sup>TH</sup> STREET BIKEWAY PROJECT, 2<sup>ND</sup> TO 38<sup>TH</sup> AVENUES**

**WHEREAS**, Alameda County voters in 2000 approved Measure B, a half-cent transportation sales tax to finance projects to improve the County's transportation system, including 5% of net revenue dedicated to bicycle and pedestrian projects; and

**WHEREAS**, the Alameda County Transportation Improvement Authority (ACTIA) administers the Measure B funds, including a 25% discretionary fund set aside for bicycle and pedestrian safety projects and programs; and

**WHEREAS**, the City of Oakland is an eligible applicant and desires to apply for, accept and appropriate up to \$300,000 in discretionary funds from ACTIA for the purpose of appropriating said funding to Fund (2214), Public Works Agency, Transportation Services Division Organization (92246); and

**WHEREAS**, said funding will allow the City to design and construct a bikeway on East 12<sup>th</sup> Street between 2<sup>nd</sup> and 38<sup>th</sup> Avenues; and

**WHEREAS**, the Public Works Agency has requested a waiver of the 1.5% public art fee for this project because ACTIA guidelines prohibit the use of grant funds for public art when public art is not a project component; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes the application, acceptance and appropriation of FY 2006-07 Measure B discretionary funds in the amount of \$300,000 to design and construct the East 12<sup>th</sup> Street Bikeway, 2<sup>nd</sup> to 38<sup>th</sup> Avenues, to be deposited to Measure B Fund (2214), Transportation Services Division Organization (92246); and be it

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

**FURTHER RESOLVED:** That the City Administrator, or his/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 funds received for the completion of the project; and be it

**FURTHER RESOLVED:** That should additional funds be received for this project, the City Administrator, or his/her designee, is hereby authorized to accept and appropriate the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, DEC 5 2006, 20  

PASSED THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, AND, *Kernighan*  
PRESIDENT DE LA FUENTE - *8*

NOES - *0*

ABSENT - *0*

ABSTENTION - *0*

ATTEST:

*LaTonda Simmons*

LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California