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OAKLAND

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2009 MAR 11 PM 1:49

# OAKLAND CITY COUNCIL

  
City Attorney

RESOLUTION No. 81892 C.M.S.

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

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ACCEPT AND APPROPRIATE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA) FUNDS OF APPROXIMATELY FIVE MILLION NINE HUNDRED AND SIXTY-EIGHT THOUSAND DOLLARS (\$5,968,000.00) FOR THE PURPOSE OF STREET RESURFACING, CURB RAMP INSTALLATION, AND SIDEWALK REPAIR**

**WHEREAS**, the American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law on February 17, 2009; and

**WHEREAS**, the Metropolitan Transportation Commission (MTC), as the designated Metropolitan Planning Organization for the nine-county San Francisco Bay Area region is the responsible agency for developing a program of projects to be funded with federal Surface Transportation Program (STP) funds in the ARRA; and

**WHEREAS**, MTC has programmed approximately \$5,968,000.00 in ARRA funds for the Oakland Various Streets and Roads Rehabilitation and Oakland Citywide Curb Ramp and Sidewalk Repair projects (MTC Resolution No. 3885); and

**WHEREAS**, approximately \$4,774,000.00 of said funding will be used to resurface up to eleven Federal Aid Urban (FAU) eligible streets city-wide in the Oakland Various Streets and Roads Rehabilitation project; and

**WHEREAS**, approximately \$1,194,000 of said funding will be used to install ADA-compliant curb ramps in approximately 200 locations and repair sidewalk damage caused by City-owned street trees at an additional 175 locations along FAU eligible streets city-wide in the Oakland Citywide Curb Ramp and Sidewalk Repair project; and

**WHEREAS**, the Community and Economic Development Agency has requested a waiver of the 1.5% public art fee for this project because ARRA guidelines restrict funding uses to highway and street infrastructure and prohibit the use of grant funds for public art; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes acceptance and appropriation of the American Recovery and Reinvestment Act of 2009 grant funds in the total amount of \$5,968,000.00 for the aforementioned eligible roadway projects; and be it

**FURTHER RESOLVED:** That these grant funds will be deposited into the State of California Department of Transportation Fund (2116) and appropriated as follows: \$4.779 million to Engineering Design Division, Streets and Structures Organization (92242), Account 57411 – Street Construction; and \$1.194 million to Public Works, Maintenance, Sidewalk Repair Program (92452), Account 57411 – Street Construction. New project numbers will be established; and be it

**FURTHER RESOLVED:** That the City Administrator, or his 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, MAR 31 2009

**PASSED BY THE FOLLOWING VOTE:**

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

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LATONDA SIMMONS

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