

OAKLAND CITY COUNCIL
RESOLUTION No. 76255 C.M.S.

INTRODUCED BY COUNCIL MEMBER _____

mpw

**RESOLUTION AUTHORIZING APPLICATION, ACCEPTANCE AND
APPROPRIATION OF GRANTS FUNDED BY FEDERAL SURFACE
TRANSPORTATION PROGRAM REVENUE ALIGNED BUDGET AUTHORITY
(RABA) FUNDING IN THE AMOUNT OF \$1,242,000 FOR STREET RESURFACING**

WHEREAS, the Transportation Equity Act for the 21st Century (TEA 21) (Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program (23 U.S.C. § 133); and

WHEREAS, the Revenue Aligned Budget Authority (RABA) provision of TEA 21 provides that if actual fuel tax receipts are higher than estimated, the extra revenues shall be spread across major highway programs; and

WHEREAS, pursuant to TEA 21, and the regulations promulgated thereunder, eligible project sponsors wishing to receive Surface Transportation Program RABA grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO), for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission (MTC) is the MPO for the San Francisco Bay region; and

WHEREAS, the City of Oakland is an eligible project sponsor for Surface Transportation Program RABA funds; and

WHEREAS, these funds are intended for maintenance and rehabilitation projects on federally eligible local roads and transit systems; and

WHEREAS, the City of Oakland wishes to submit a grant application for \$1,242,000 to MTC for funds from the Surface Transportation Program RABA in fiscal year 2000-2001 for the following four street resurfacing projects:

Street Resurfacing Program 2001-02

- Coolidge from Foothill Blvd. to Brookdale Ave. - \$397,000
- o E. 15th Street from 1st Ave. to 14th Ave. - \$360,000
- 38th Ave. form Foothill Blvd. to MacArthur Blvd. - \$278,000
- Mandana Blvd. from Lakeshore Ave. to Ashmount Ave. - \$368,000; and

WHEREAS, MTC requires, as part of the application, a resolution stating the following:

- 1) the commitment of necessary local matching funds of at least 11.5%; and
- 2) that the sponsor understands that the Surface Transportation Program funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with Surface Transportation Program funds; and
- 3) the assurance of the sponsor to complete the project as described in the application, and if approved, as programmed in MTC's TIP; and
- 4) that the sponsor understands that funds must be obligated by September 30, 2002, or the project may be removed from the program.

WHEREAS, the required local matching funds of at least 11.5 percent (\$161,000) will be available from a combination of funds including local gas taxes and Alameda County Measure B transportation sales taxes; now, therefore, be it

RESOLVED: That the City Council of the City of Oakland by its adoption of this resolution does hereby authorize the City Manager, or his designee, to execute and file an application, accept and appropriate funding under the TEA 21 Surface Transportation Program **RABA** provision in the amount of (\$1,242,000) for the four street resurfacing projects described; and be it

FURTHER RESOLVED: That the City Council of the City of Oakland by adopting this resolution does hereby state that:

- 1) The City of Oakland will provide \$161,000 (11.5%) in local matching funds from existing fiscal year 2000-01 appropriations; and
- 2) The City of Oakland understands that the Surface Transportation Program RABA funding for the project is fixed at (\$1,242,000), and that any cost increases must be funded by the City of Oakland from local matching funds, and that the City of Oakland does not expect any cost increases to be funded with Surface Transportation Program funds; and
- 3) Street Resurfacing Program 2001-02 will be built as described in this resolution and, if approved, for the amount shown in the Metropolitan Transportation Commission (MTC) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
- 4) The program funds are expected to be obligated by September 30, 2002; and be it

FURTHER RESOLVED: That a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and be it

FURTHER RESOLVED: That the MTC is requested to support the application for the project described in the resolution and to program the project, if approved, in MTC's TIP; and be it

FURTHER RESOLVED: That this resolution has been approved by the Office of the City Attorney as to form and legality, and a copy is on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 30 2001, 20

PASSED BY THE FOLLOWING VOTE:

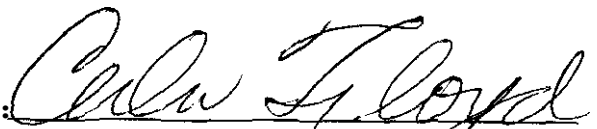
AYES- BRUNNER, ~~CHANG, MILEY~~, NADEL, REID, SPEES, WAN AND
PRESIDENT DE LA FUENTE 4

NOES- None

ABSENT- Chang (Excused) -

ABSTENTION- None

ATTEST:



CEDA FLOYD

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