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FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

APPROVED AS TO FORM AND LEGALITY

*Farrah Hussein*  
CITY ATTORNEY'S OFFICE

# OAKLAND CITY COUNCIL

RESOLUTION NO. 90215 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE UP TO ONE MILLION FIVE HUNDRED AND TWO THOUSAND TWO HUNDRED SEVENTY-FOUR DOLLARS (\$1,502,274) IN FISCAL YEAR (FY) 2024-25 STATE TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS TO FUND EAST 23RD STREET STAIR PATH #104 REHABILITATION AND ROSEMONT AVENUE TO LONGRIDGE AVENUE STAIR PATH #206 REHABILITATION; AND ADOPT APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

**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 (City) desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the projects described in this resolution and accompanying agenda report, 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 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 the agenda report accompanying this resolution, or that might impair the ability of the City to carry out the projects; and be it

**FURTHER RESOLVED:** That the proposed projects were reviewed by the City's Bicyclist and Pedestrian Advisory Commission (BPAC) at its meeting on March 21, 2024, fulfilling the requirement for BPAC review stipulated by MTC Resolution No. 4108; and be it

**FURTHER RESOLVED:** That the City 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) (not a project), 15061(b)(3) (no significant effect), and/or 15301(c) (existing facilities); and be it

**FURTHER RESOLVED:** That the City Council directs the City's Environmental Review Officer to file a Notice of Exemption; and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the application, acceptance, and appropriation of fiscal year (FY) 2024-25 State TDA Article 3 funds in an amount not to exceed one million five hundred and two thousand, two hundred seventy-four dollars (\$1,502,274) in FY 2024-25 State Transportation Development Act Article 3 Funds to fund East 23rd Street Stair Path #104 Rehabilitation and Rosemont Avenue to Longridge Avenue Stair Path #206 Rehabilitation; and be it

**FURTHER RESOLVED:** That the City Administrator is authorized on behalf of the City to execute and submit all documents, payment requests, and related actions.

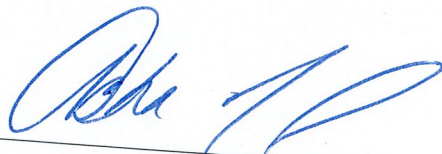
IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE: **MAY 07 2024**

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND  
PRESIDENT FORTUNATO BAS **46**

NOES -   
ABSENT -   
ABSTENTION -

ATTEST:



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