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OFFICE OF THE CITY CLERK
OAKLAND

2009 JUL -2 AM 9:59

OAKLAND CITY COUNCIL
RESOLUTION No. 82177 C.M.S.

Approved as to form and legality


Oakland City Attorney's Office

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO APPLY FOR, ACCEPT, AND APPROPRIATE FIVE HUNDRED SEVENTY-THREE THOUSAND FIVE HUNDRED NINETY-NINE DOLLARS (\$573,599.00) IN MEASURE B BICYCLE AND PEDESTRIAN COUNTYWIDE DISCRETIONARY FUNDS FOR THE LAKESHORE AVENUE COMPLETE STREETS PROJECT, COMMITTING MATCHING FUNDS AS SPECIFIED IN THE GRANT FUNDING AGREEMENT, AND STATING THE CITY'S ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, the voters of Alameda County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq., approved the reauthorization of Measure B at the General Election held on November 7, 2000; and

WHEREAS, said legislation authorized the Alameda County Transportation Improvement Authority (ACTIA) to administer the proceeds from the continued one-half cent transaction and use tax with a twenty (20) year duration that began on April 1, 2002, and will terminate/expire on March 31, 2022; and

WHEREAS, five (5) percent of the net revenue is dedicated to bicycle and pedestrian projects and 25% of these bicycle and pedestrian funds are disbursed as competitive grants through the Bicycle/Pedestrian Countywide Discretionary Program; and

WHEREAS, the City has submitted an application to ACTIA for \$573,599.00 to Cycle 4 of the Bicycle/Pedestrian Countywide Discretionary Program for the Lakeshore Avenue Complete Streets Project ("Project") and the City is an eligible grant recipient of Measure B funds; and

WHEREAS, the City commits to match the ACTIA grant of \$573,599.00 with \$150,000.00 in State Gas Tax funds, \$200,000.00 in Measure DD funds, and \$282,500 in funds from AC Transit for a total Project budget of \$1,206,099.00; and

WHEREAS, as part of the application for Measure B funding, ACTIA requires a resolution adopted by the City that states the following: (1) the committed amount of matching funds; (2) that the City understands that the Measure B grant amount is capped at the amount awarded; (3) the assurance of the City to complete the project; and (4) that the project will comply with all project-specific requirements as defined by the grant funding agreement; now, therefore, be it

RESOLVED: That the City is authorized to submit an application for Measure B Bicycle/Pedestrian Countywide Discretionary funds for the Project and that the City is an eligible sponsor of Measure B funded projects; and be it

FURTHER RESOLVED: That the City, by adopting this resolution, does hereby state that: (1) the City will provide \$632,500.00 in matching funds from sources other than Measure B discretionary programs; (2) the City understands that the amount of the Measure B grant is capped at the amount awarded and that any cost increases must be funded by the City from other sources; (3) the Project will be implemented as described in the grant funding agreement and in this resolution; and (4) that the City and the Project will comply with the requirements as set forth in the grant funding agreement; and be it

FURTHER RESOLVED: That there is no pending or threatened litigation that might in any way adversely affect the Project, or the ability of the City to deliver the Project; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the application, acceptance, and appropriation of Measure B Bicycle/Pedestrian Countywide Discretionary Funds in the amount of \$573,599.00 for the Lakeshore Avenue Complete Streets Project to be deposited in ACTIA Reimbursable Grants Fund (2214), Traffic Engineering Organization (92246), Street Construction Account (57411), and a new project number to 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 a funding agreement with ACTIA for Measure B funding for the Project and to complete all documents, payment requests and related actions; and be it

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

FURTHER RESOLVED: That a copy of this resolution will be transmitted to ACTIA in conjunction with an executed funding agreement.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 21 2009

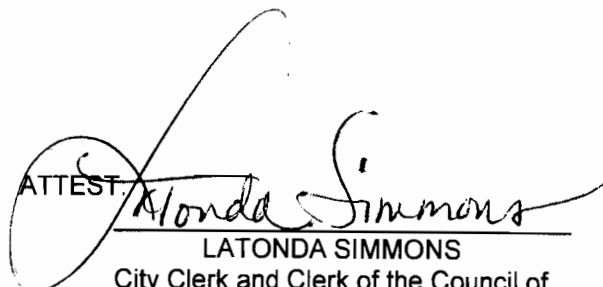
PASSED BY THE FOLLOWING VOTE:

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