



Celso Ortiz (Dec 21, 2024, 1:53 PM)
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION APPROPRIATING A ONE-TIME USE OF FUND BALANCE IN AN AMOUNT NOT TO EXCEED FIVE MILLION, EIGHTY-ONE THOUSAND, EIGHT HUNDRED AND SEVENTY THREE DOLLARS (\$5,081,873.00)~~ONE MILLION, TWO HUNDRED AND SEVENTY FOUR THOUSAND DOLLARS (\$1,274,000.00)~~ FROM FISCAL YEAR 2024 MEASURE BB FUND BALANCE TO PARTIALLY FUND THE CITYWIDE RESURFACING PROGRAM THROUGH THE END OF FISCAL YEAR 2025 TO REDUCE THE PROGRAM BUDGET SHORTFALL AND PARTIALLY MAINTAIN CONSTRUCTION SCHEDULES.

WHEREAS, on December 21, 2021, the City council adopted Ordinance No. 88975 C.M.S. establishing the 2022 5-Year Paving Plan (5YP); and

WHEREAS, on June 26, 2023, the City council adopted Ordinance No. 89804 C.M.S. establishing the Fiscal Year 2023-2025 (FY23-25) Budget and concurrently established the FY23-25 Capital Improvement Program (CIP); and

WHEREAS, the 2022 5-Year Paving Plan (5YP) is funded by the Street Resurfacing Capital Improvement Program (CIP); and

WHEREAS, for FY23-FY25, the Street Resurfacing CIP was funded fully by Measure KK and Measure U infrastructure bond funds, allocating \$24 million in FY24 and \$51.75 million in FY25 for Street Resurfacing; and

WHEREAS, on June 28, 2024, the City council adopted Ordinance No. 90326 C.M.S. establishing the FY23-FY25 Midcycle Budget Adjustments which reduced the budget for the FY25 Street Resurfacing CIP from \$51.75 million to \$6.75 million; and subsequently reduced to \$0 as part of the FY25 contingency budget that went into effect in mid-October; and

WHEREAS, reduced output in FY25 projects risks a cascading effect in which projects that were supposed to be delivered in FY26 and beyond will also see schedule delays thus increasing the citywide pavement maintenance backlog; and

WHEREAS, an available fund balance of five million, eighty-one thousand, eight hundred and seventy-three dollars (\$5,081,873.00) ~~one million, two hundred and seventy-four thousand dollars (\$1,274,000.00)~~ has been identified in the FY24 Measure BB fund; and

WHEREAS, the reappropriation of FY24 Measure BB funds will not impact existing projects or programs, as the fund balance is currently unappropriated; and

WHEREAS, the City Administrator is requesting that the Council appropriate a one-time fund balance in an amount not to exceed ~~\$1,274,000.00~~ \$5,081,873.00 to reduce the current budget shortfall of the Citywide Resurfacing Program, ensuring some paving projects planned for construction in FY25 can be constructed; and

WHEREAS, a fund reappropriation is not considered a project under the California Environmental Quality Act (CEQA), and therefore is not subject to CEQA review; now, therefore, be it

RESOLVED: That the City Council authorizes the appropriation of a one-time use of fund balance in an amount not to exceed five million, eighty-one thousand, eight hundred and seventy-three dollars (\$5,081,873.00) ~~one million, two hundred and seventy-four thousand dollars (\$1,274,000.00)~~ from the currently unappropriated fund balance Fund 2218 (FY24 Measure BB) to Project 1006103, Citywide Pavement Rehabilitation, and may also be used to fund other queued active local streets and/or complete streets capital projects currently under DOT's management.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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