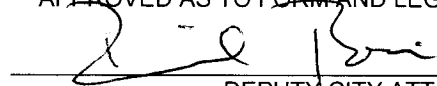


OFFICE OF THE CITY CLERK  
2008 FEB 09 PM 4:53

APPROVED AS TO FORM AND LEGALITY:

  
DEPUTY CITY ATTORNEY

# OAKLAND CITY COUNCIL

RESOLUTION NO. 81134 C.M.S.

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE GRANT FUNDING UP TO ONE HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$175,000) FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ENVIRONMENTAL JUSTICE TRANSPORTATION PLANNING GRANT FOR THE 81<sup>ST</sup> AVENUE BUSINESS AND RESIDENTIAL COMMUNITY PLAN**

**WHEREAS**, the City of Oakland (“City”) wishes to submit an application to the California Department of Transportation (“Caltrans”) for up to \$175,000 in funding for an Environmental Justice Transportation Planning Grant for the 81<sup>ST</sup> Avenue Business and Residential Community Plan, known also as Industrial Sub-Area 6 and surrounding neighborhood in East Oakland; and

**WHEREAS**, Caltrans grant procedures require applicants to certify by resolution the approval of the application, and the identification of a designated City representative who will sign acceptance of the grant if awarded; and

**WHEREAS**, the City of Oakland is eligible to apply directly for funding; and

**WHEREAS**, the regulations for the Environmental Justice: Context-Sensitive Planning Grant programs allows the City to name a sub-contractor and thereby not be subject to subsequent bidding requirements for third party contracts per 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; and

**WHEREAS**, the City of Oakland has named Urban Ecology, a certified 501 (c) (3) as a sub-contractor within the Scope of Work for the 81<sup>ST</sup> Avenue Corridor Business and Residential Community Plan, due to the organization’s specialized expertise in community planning, land use and transportation planning, and will partner with that organization for technical assistance and community planning outreach support for the duration of the grant; and

**WHEREAS**, the area known within a half-mile radius of the 81<sup>ST</sup> Avenue Corridor is an area of need that meets the criteria of the program including definition as a planning area that is in need of continued economic revitalization, an area of low-

income population as well as an area with a significant employee population who are in need of safe street conditions, and area which is proximate to but without a safe access to the nearby BART Station; and is an area which will benefit from a community planning process that includes businesses, employees and residents of the areas, are often underrepresented in planning and development projects; and

**WHEREAS**, the outcome of this planning grant will improve the mobility, access safety and opportunities in the City of Oakland for affordable housing and economic development, including access to jobs; and

**WHEREAS**, the requirements of the California Environmental Quality Act of 1970 (“CEQA”) the CEQA Guidelines as prescribed by the Secretary of Resources, and the provisions of the Environmental Review Regulations of the City of Oakland will be satisfied, and the requirements of the National Environmental Policy Act (“NEPA”) must be addressed prior to funding; now therefore be it

**RESOLVED:** That the City Council hereby authorizes the City Administrator or her designee to execute and file an application to Caltrans for an amount up \$175,000 in funding for an Environmental Justice Transportation Planning Grant for the 81<sup>ST</sup> Avenue Business and Residential Community Plan, to accept such funding if awarded, and to appropriate such funding for requisite planning activities associated with the Project to California Department of Transportation Fund (2140), Administrative & Planning Services Org (92210), project to be determined; and be it

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

**FURTHER RESOLVED:** That, if awarded, the City will include the project as a formal work element in the City’s overall work program; and be it

**FURTHER RESOLVED:** That there is no legal impediment to the City making applications for the funds; and be it

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

**FURTHER RESOLVED:** That all documents shall be reviewed and approved as to form and legality by the City Attorney's Office prior to execution, and copies will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, MAR 18 2008, 2008

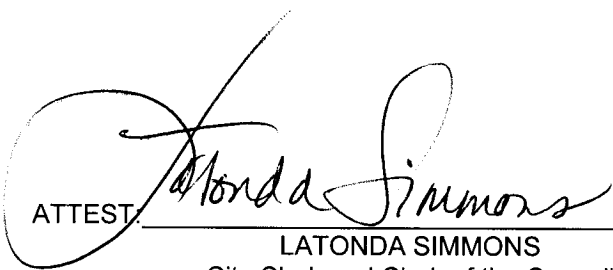
PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST 

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