

CITY OF OAKLAND FILED
OFFICE OF THE CITY CLERK
OAKLAND
AGENDA REPORT

08 JUL 10 PM 6:06

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community & Economic Development Agency
DATE: July 22, 2008

RE: **Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate \$15,110,000.00 Of Highway Bridge Program (HBP) Funding Including Up To \$13,376,883.00 In Federal Highway Administration (FHWA) Funds And Up To \$1,733,177.00 In State Proposition 1B Local Match Funds To Replace The 12th Street Eastern And Western Grade Separation Structures At Lake Merritt**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or her designee, to apply for, accept, and appropriate \$15,110,000.00 of Highway Bridge Program (HBP) funding including up to \$13,376,883.00 in Federal Highway Administration (FHWA) funds and up to \$1,733,177.00 in State Proposition 1B local match funds.

These additional construction funds will complement Measure DD, Urban Stormwater Grant (Proposition 40), and the State Coastal Conservancy (Proposition 50) funding identified for the 12th Street Reconstruction project near Lake Merritt, by facilitating the replacement of both the Eastern and Western grade separation structures through the Highway Bridge Program (HBP). The work to be funded is located in Council Districts 2 and 3.

Staff requests that the Council adopt the resolution.

FISCAL IMPACTS

Approval of this resolution will authorize the application and acceptance of up to \$15,110,000.00 in Highway Bridge Program (HBP) funding. This approval will appropriate \$13,376,883.00 in the Department of Transportation Fund (2116) and \$1,733,117.00 in the Proposition 1B California Transportation Bond Fund (2165); Engineering Design: Street and Structures Organization (92242); Street Construction Account (57411); Project C241610 (corresponding subprojects to be created).

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Public Works Committee
July 22, 2008

BACKGROUND

The project site is located on the south end of Lake Merritt between Oak Street and Lakeshore Avenue. The Western Grade Separation crosses 14th Street, and the Eastern Grade Separation crosses E12th Street. This transportation network, referred to as the “12th Street Corridor”, is the main link between Downtown and East Oakland around Lake Merritt. The Lake Merritt Channel, hydrologically connecting the lake to the estuary, crosses the project area through a set of box culverts.

The project area is surrounded by a number of well known civic buildings, such as: the Henry J. Kaiser Convention Center, the Oakland Museum, and the Alameda County Court House. Adjacent to the project, other important facilities include: Peralta Park, Lake Merritt Channel Park, Laney College, Peralta Community College District offices, Oakland Unified School District offices, the Main Oakland Public Library, the historic Camron-Stanford House, and the Lake Merritt BART station.

The latest bridge inspection reports by Caltrans, dated October 2005, indicate that the existing Western Grade Separation bridge structure is classified as structurally deficient and needs to be replaced. The Eastern Grade Separation bridge structure is classified as functionally obsolete and should be considered for replacement. Both structures were constructed in the 1950’s as part of the same transportation system linking East Oakland to the Downtown area. A typical service life for a bridge is 50 years.

PROJECT DESCRIPTION

As described in the Lake Merritt Master Plan, the 12th Street Reconstruction project involves the reconfiguration of the roadways at the south end of Lake Merritt. The existing twelve-lane expressway across the 12th Street dam will be changed into a six-lane tree-lined boulevard with signalized intersections. The reduced roadway width will allow the construction of a large shoreline park with a public restroom, turf areas, a promenade, and bicycle and pedestrian paths and will provide safer access for pedestrians and cyclists along the perimeter of Lake Merritt.

The grade separation structures and the existing culverts will be replaced with clear-spanning vehicle and pedestrian bridges, allowing improved tidal circulation into the lake and enhancing water quality and wildlife habitat. Access to the Kaiser Convention Center and Laney College will be improved with at-grade signalized crossings. Direct pedestrian, bicycle, and boat access from Lake Merritt along the Lake Merritt Channel Park will be established, allowing eventual easy access to the Bay Trail and waterfront; creating stronger linkages to the Estuary, Lake Merritt, and the surrounding neighborhoods; thus transforming this underutilized, unsafe space into a vibrant urban space.

KEY ISSUES AND IMPACTS

The project will implement a major component of the Lake Merritt Master Plan. The Lake Merritt Master Plan identified this area as a major component in the implementation of the goals of Measure DD, the Oakland Trust for Clean Water and Safe Parks bond measure.

The 12th Street Reconstruction Project was covered as part of the Environmental Impact Report for the City of Oakland Bond Measure DD projects. This EIR was certified April 1, 2008.

As a condition to receive federal funding from the U.S. Department of Transportation (DOT), the City of Oakland's Local and Small Local Business Enterprise (L/SLBE) Program will be replaced with the City of Oakland's Disadvantaged Business Enterprise (DBE) Program, in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26.

SUSTAINABLE OPPORTUNITIES

Economic: The 12th Street Reconstruction project will enhance the physical appearance of the Lake, which will attract more visitors to the neighborhood, providing the potential for further economic development in the area.

Environmental: The proposed bridge replacement will significantly improve the natural tidal circulation into Lake Merritt and enhance wildlife habitat and water quality. In addition, the proposed design also includes a tree-lined boulevard designed to create the largest possible open space adjacent to the lake.

Social Equity: A shoreline park will be created and will include new recreational elements. In addition, direct pedestrian, bicycle, and boat access from Lake Merritt along the Lake Merritt Channel Park will be provided, allowing eventual easy access to the Bay Trail and waterfront and increasing the social connection between these neighborhoods.

DISABILITY AND SENIOR CITIZEN ACCESS

The design for the 12th Street Reconstruction project will include improved access from the Kaiser Convention Center and Laney College to Lake Merritt. All pathways will be in compliance with the physical access requirements of the Americans with Disabilities Act (ADA), providing equal opportunity and access along Lake Merritt and to the Channel Park.

RECOMMENDATION AND RATIONALE

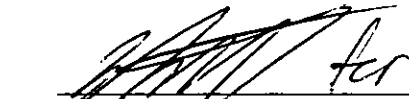
Staff recommends that Council approve the resolution authorizing application, acceptance, and appropriation of \$15,110,000.00 of Highway Bridge Program (HBP) funding including up to \$13,376,883.00 in Federal Highway Administration (FHWA) Funds and up to \$1,733,177.00 in State Proposition 1B Local Match Funds to replace the 12th Street Eastern and Western Separation structures at Lake Merritt.

The additional funds will complement the Measure DD funds allocated for the construction phase of the 12th Street Reconstruction Project. It will also require advertising this project with the City of Oakland Disadvantaged Business Enterprise (DBE) Program due to federal funding requirement

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

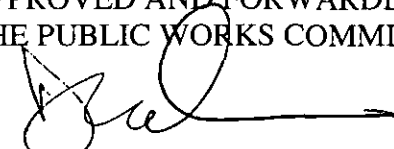


Dan Lindheim, Director
Community & Economic Development Agency

Reviewed by:
Michael Neary, P.E.
Deputy Director, CEDA
Design & Construction Services Department

Prepared by:
Emad Mirsaeidi, P.E.
Supervising Civil Engineer
Engineering Design & R.O.W. Management Division

**APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:**



Office of the City Administrator

Item: _____
Public Works Committee
July 22, 2008

FILED
OFFICE OF THE CITY CLERK
OAKLAND, CALIFORNIA
2008 JUL 10 PM 6:06

Approved as to Form and Legality

OAKLAND CITY COUNCIL


City Attorney

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE \$15,110,000.00 OF HIGHWAY BRIDGE PROGRAM (HBP) FUNDING INCLUDING UP TO \$13,376,883.00 IN FEDERAL HIGHWAY ADMINISTRATION (FHWA) FUNDS AND UP TO \$1,733,177.00 IN STATE PROPOSITION 1B LOCAL MATCH FUNDS TO REPLACE THE 12TH STREET EASTERN AND WESTERN GRADE SEPARATION STRUCTURES AT LAKE MERRITT

WHEREAS, the 12th Street Eastern and Western Grade Separation structures at Lake Merritt are considered vital transportation facilities linking East Oakland to the Downtown area; and

WHEREAS, the two main grade separation structures (Bridge No. 33C0181 & No. 33C0182) qualify for replacement under the Highway Bridge Program (HBP); and

WHEREAS, up to \$13,376,883.00 in federal funds, provided by the Federal Highway Administration (FHWA), are programmed for the replacement of these structures; and

WHEREAS, State of California voters passed Proposition 1B in new state transportation bonds in November 2006; and

WHEREAS, up to \$1,733,117.00 of Proposition 1B bond funds, under the Local Seismic Safety Retrofit Program (LSSRP), can be used for matching federal funds; and

WHEREAS, Measure DD, the Oakland Trust for Clean Water and Safe Parks Funds includes the 12th Street Reconstruction Project at Lake Merritt; and

WHEREAS, the City hereby finds and determines on the basis of substantial evidence in the record that the Measure DD Environmental Impact Report ("EIR") fully analyzes the potential environmental effects of the Project and incorporates mitigation measures to substantially lessen or avoid potentially significant impacts where feasible in accordance with the California Environmental Quality Act ("CEQA"); and that none of the circumstances necessitating preparation of additional CEQA review as specified in CEQA and the CEQA Guidelines, including without limitation Public Resources Code Section 21166 and CEQA Guidelines Section 15162, are present in that (1) there are no substantial changes proposed in the Project or the circumstances under which the Project is undertaken that would require major revisions of the EIR due to the involvement of new environmental effects or a substantial increase in the severity of previously identified significant effects, and (2) there is no "new information of substantial importance" as described in CEQA Guidelines Section 15162(a)(3); and

WHEREAS, the 12th Street Reconstruction Project includes the replacement of the Eastern and Western Separation structures; and

WHEREAS, this appropriation will complement the Measure DD funds allocated for the construction phase of the 12th Street Reconstruction Project; and

WHEREAS, as a condition to receive federal funding from the U.S. Department of Transportation (DOT), the City of Oakland's Local and Small Local Business Enterprise (L/SLBE) Program will be replaced with the City of Oakland's Disadvantaged Business Enterprise (DBE) Program; now, therefore, be it

RESOLVED: That the City Council hereby approves the application and acceptance of up to \$15,110,000.00 in Highway Bridge Program (HBP) funding and approves the appropriation of \$13,376,883.00 to the Department of Transportation Fund (2116) and of \$1,733,117.00 to the Proposition 1B California Transportation Bond Fund (2165); Engineering Design: Street and Structures Organization (92242); Street Construction Account (57411); Project C241610 (corresponding subprojects to be created); and be it

FURTHER RESOLVED: That the City Administrator, or her designee, is authorized on behalf of the City of Oakland, to execute and submit all documents, payment requests and related actions, as well as, to enter into an agreement to accept and appropriate the allocated Federal Highway Administration (FHWA) and corresponding Proposition 1B funding; and be it

FURTHER RESOLVED: That the City Administrator, or designee, is hereby authorized to approve any subsequent amendments or extensions, provided that such amendments or extensions shall be approved by the City Attorney's Office and shall be filed with the Office of the City Clerk. Should additional grant funds be received, the City Administrator is hereby authorized to appropriate the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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