

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JUL -2 AM 9:59

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: July 14, 2009

RE: **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**

Resolution Authorizing The City Administrator, or His Designee, To Accept And Appropriate Up To Two Hundred Eighty-Two Thousand Five Hundred Dollars (\$282,500.00) From The Alameda-Contra Costa Transit District (AC Transit) And To Enter Into An Agreement With AC Transit For the Design and Construction Of The Lakeshore Avenue Complete Streets Project

SUMMARY

Two resolutions have been prepared authorizing the City Administrator, or his designee, to apply for, accept, and appropriate \$573,599.00 in Measure B funds from the Alameda County Transportation Improvement Authority (ACTIA) and up to \$282,500.00 from the Alameda-Contra Costa Transit District (AC Transit) to design and construct the Lakeshore Avenue Complete Streets Project ("Project"). This Project will improve pedestrian crossings, bus stops and bicyclist access along Lakeshore Avenue at the intersections of Lake Park Avenue and MacArthur Boulevard as detailed in *Attachment A*. The resolution commits an additional \$350,000.00 in matching funds and states the City's assurance to complete the project.

FISCAL IMPACT

Approval of these resolutions will authorize the City to apply for, accept, and appropriate up to \$573,599.00 in Measure B funds from ACTIA and up to \$282,500.00 from AC Transit for design and construction of the Project. While ACTIA's grant program does not require a local match, projects with larger local matches receive higher rankings in the evaluation process. Staff recommends that the City match the ACTIA grant with the \$282,500.00 from AC Transit, \$150,000.00 in State Gas Tax funds, and \$200,000 in Measure DD funds for a total match of \$632,500.00 and a total project budget of \$1,206,099.00.

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The ACTIA funds will be deposited into the ACTIA Reimbursable Grants Fund (2214), Traffic Engineering Organization (92246), Street Construction Account (57411), and a new project number will be established. The AC Transit funds will be deposited into Miscellaneous Grants Fund (2999), Traffic Engineering Organization (92246), Street Construction Account (57411), and a new project number to be established.

The remaining matching funds are \$40,000.00 in State Gas Tax Fund (2230), Traffic Capital Projects Organization (88363), Work Order Expenditures Account (56611), Neighborhood Transportation CIP Program Project (B246510); \$85,000.00 in State Gas Tax Fund (2230), Traffic Capital Projects Organization (88363), Work Order Expenditures Account (56611), Neighborhood Transportation CIP Program Project (B246810); \$25,000.00 in State Gas Tax Fund (2230), Traffic Capital Projects Organization (88363), Street Construction Account (57411); and Lakeshore/MacArthur Pedestrian Improvement Project (B247112); and up to \$200,000.00 in Measure DD: 2003A Clean Water, Safe Parks & Open Space Trust for Oakland Fund (5320), Engineering Design: Project Management Organization (92270), Street Construction Account (57411) Lakeshore Avenue Path Improvement Project (C242312).

BACKGROUND

The Measure B Bicycle and Pedestrian Countywide Discretionary Fund is administered by the Alameda County Transportation Improvement Authority (ACTIA) and funded by Alameda County's Measure B half cent transaction and use tax. This competitive grant program funds capital improvements, educational programs, and planning efforts that improve safety and access for pedestrians and bicyclists. Eligible projects must meet criteria for countywide significance that are defined in the Alameda Countywide Strategic Pedestrian Plan (2006) or the Alameda Countywide Bicycle Plan (2006).

The Bicycle and Pedestrian Countywide Discretionary Fund is now in its fourth grant cycle since Measure B was reauthorized in 2000. ACTIA received 19 applications totaling \$8.6 million in requests for \$4.0 million in available funds. The Lakeshore Avenue Complete Streets Project was ranked second out of 12 capital projects and is recommended for funding. The funds are available as of July 1, 2009, pending the approval of this resolution and execution of the funding agreement. The project must be completed and all funds expended by June 30, 2011. While ACTIA does not require a local match, projects with larger local matches receive higher rankings in the evaluation process.

KEY ISSUES AND IMPACTS

The project provides overlapping and mutually reinforcing benefits to the Grand Lake commercial district, AC Transit bus operations, and the Measure DD improvements around Lake Merritt. The intersections on Lakeshore Avenue at Lake Park Avenue and MacArthur Boulevard are longstanding sources of community concern. Interstate 580 separates the commercial district

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from Lake Merritt and the freeway on- and off-ramps create challenges for pedestrians patronizing the Grand Lake commercial district and farmers market. The Grand Lake Traffic Calming Committee, a volunteer neighborhood group, has championed pedestrian improvements in the area and worked closely with City staff and the greater community to identify improvements with broad-based support. Citizen advocacy for the pedestrian, transit, and bicyclist improvements has been ongoing for over eight (8) years and has involved numerous community meetings as well as a number of meetings with City staff. The response from the broader community has been favorable.

The project's improvements to AC Transit bus operations and pedestrian access make the project competitive for the Measure B Bicycle and Pedestrian Countywide Discretionary Fund. In particular, the Alameda Countywide Strategic Pedestrian Plan prioritizes improvements on major bus lines because of the countywide significance of encouraging transit use. AC Transit operates the NL and the 57, both trunk lines, on MacArthur Boulevard/Lake Park Avenue and the 13, a local line, on Lakeshore Avenue. AC Transit is especially interested in making operational improvements to its trunk lines. The project will lengthen the bus stop and widen the sidewalk on Lake Park Avenue at Lakeshore Avenue to improve bus access to the stop and support the high number of transit riders at this location. On Lakeshore Avenue at Lake Park Avenue, the line 13 bus stop will be relocated from under the freeway to the edge of the commercial district, providing a more direct connection and a greatly improved environment for waiting passengers. The overall benefits to bus operations are underscored by AC Transit's substantial contribution of up to \$282,500.00 of the total project cost.

The project is coordinated with and builds upon the Measure DD projects at Lake Merritt. Specifically, the El Embarcadero and Lakeshore Avenue Project requires the addition of a second left turn lane from northbound Lakeshore Avenue onto eastbound Lake Park Avenue as a traffic mitigation under the California Environmental Quality Act (CEQA). This work will be implemented as part of the Lakeshore Avenue Complete Streets Project. More generally, the project will improve pedestrian and bicyclist access to Lake Merritt and the forthcoming Measure DD improvements. In addition to the pedestrian crossing improvements, the project includes an arterial bicycle route (Class 3A) from Mandana Boulevard to MacArthur Boulevard. This bikeway will connect the existing bicycle lanes (Class 2) on Lakeshore Avenue from Winsor Avenue to Mandana Boulevard to the forthcoming bikeway on Lakeshore Avenue from MacArthur Boulevard to East 18th Street.

PROJECT DESCRIPTION

As illustrated in *Attachment A*, the Lakeshore Avenue Complete Streets Project will improve pedestrian crossings, bus stops, and bicyclist access along Lakeshore Avenue at the intersections of Lake Park Avenue and MacArthur Boulevard. In particular, the project will realign a crosswalk and create refuge islands on Lakeshore Avenue at Lake Park Avenue. It will create a

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pedestrian plaza and an improved bus stop on Lakeshore Avenue at Rand Avenue. The project will also widen the sidewalk and lengthen the bus stop on Lake Park Avenue at Lakeshore Avenue. At Lakeshore Avenue and MacArthur Boulevard, the project will construct a bulbout and close a short gap in the bicycle lanes (Class 2) on MacArthur Boulevard. The project also includes an arterial bike route (Class 3A) on Lakeshore Avenue between Mandana Boulevard and MacArthur Boulevard. These improvements will be constructed in conjunction with a mitigation measure – required by the Measure DD El Embarcadero and Lakeshore Avenue Project – to add a second left turn lane from northbound Lakeshore Avenue onto westbound Lake Park Avenue.

SUSTAINABLE OPPORTUNITIES

Economic: The project will improve a local commercial district and provide opportunities to use local contractors for construction.

Environmental: The project promotes sustainable transportation by encouraging walking, bicycling, and transit.

Social Equity: This project provides improved safety and access for people who depend on walking, bicycling, and transit to access jobs and services.

DISABILITY AND SENIOR CITIZEN ACCESS

The project will improve access for persons with disabilities and senior citizens by reducing crossing distances, installing ADA-compliant curb ramps, and improving bus stops.

RECOMMENDATION AND RATIONALE

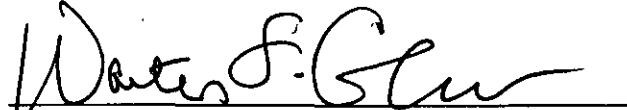
Staff recommends that the City Council authorize the City Administrator, or his designee, to apply for, accept, and appropriate \$573,599.00 in Measure B Bicycle and Pedestrian Countywide Discretionary Funds from ACTIA and up to \$282,500.00 from AC Transit for the Lakeshore Avenue Complete Streets Project.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolutions.

Respectfully submitted,



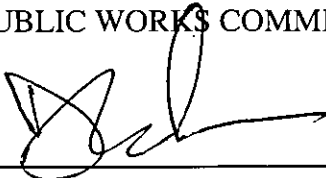
Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Michael J. Neary, P.E.
Deputy Director
Community and Economic Development Agency

Wladimir Wlassowsky, P.E.
Transportation Services Division Manager

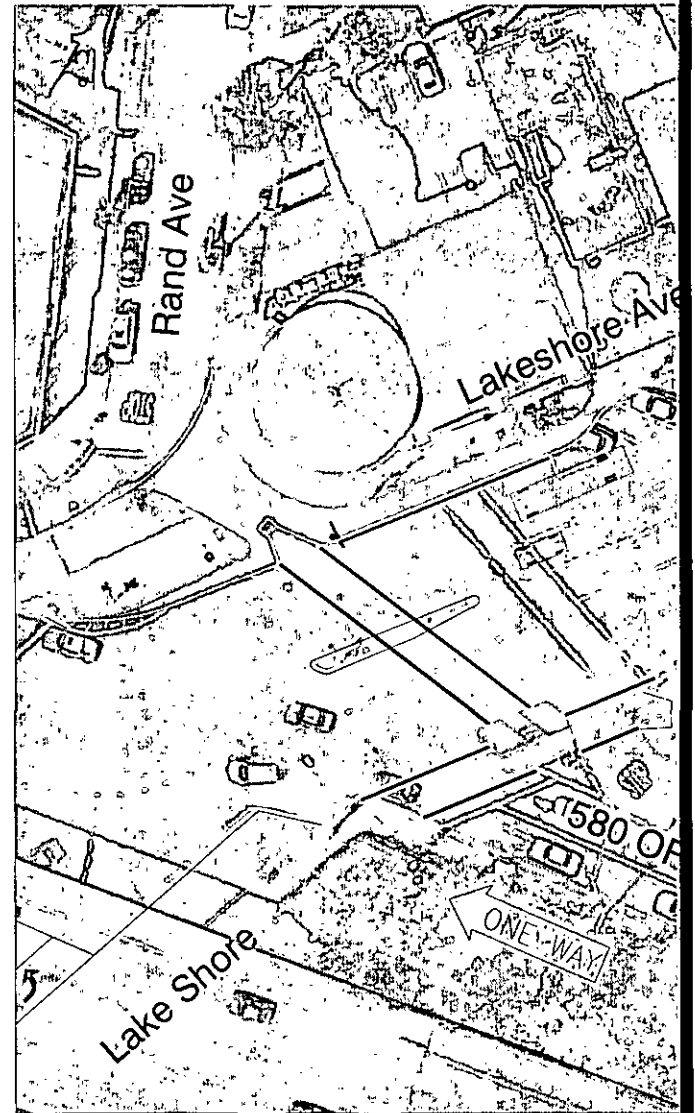
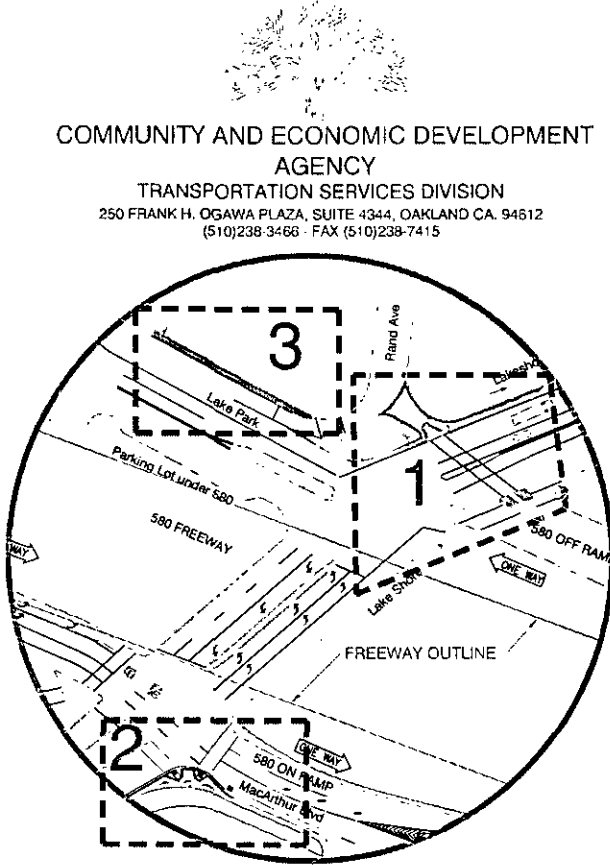
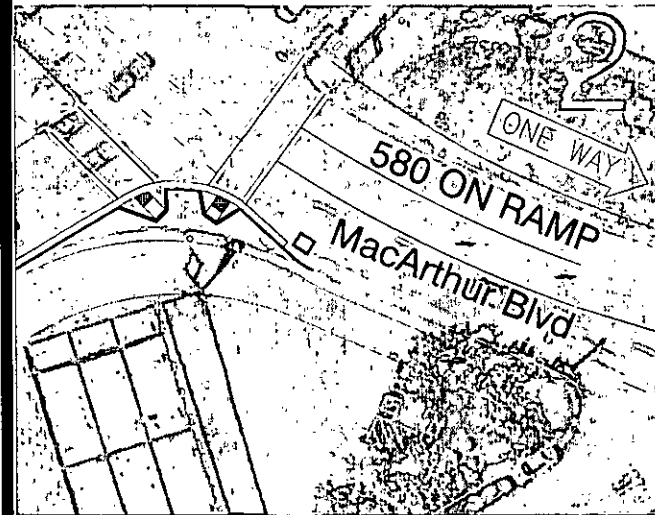
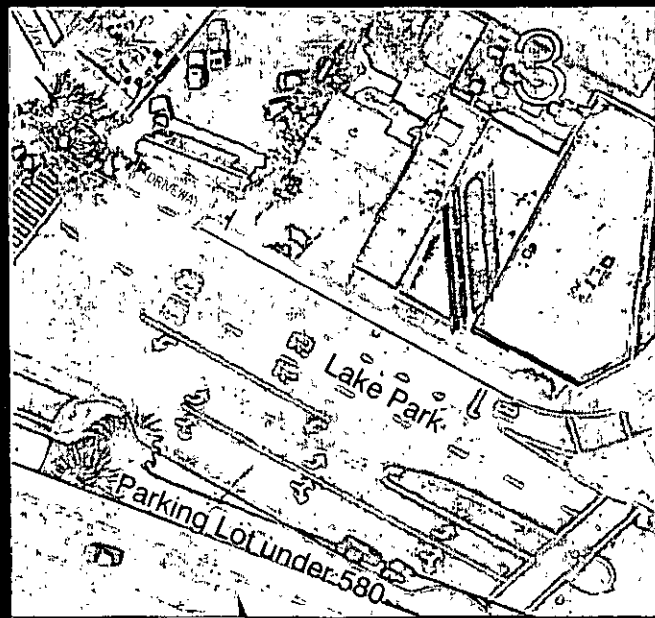
Prepared by:
Jason Patton, Bicycle and Pedestrian Program Manager
Transportation Services Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of the City Administrator

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Public Works Committee
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FILED
OFFICE OF THE CITY CLERK
OAKLAND

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OAKLAND CITY COUNCIL

RESOLUTION NO. _____ 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, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JUL -2 AM 9:59

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO ACCEPT AND APPROPRIATE UP TO TWO HUNDRED EIGHTY-TWO THOUSAND FIVE HUNDRED DOLLARS (\$282,500.00) FROM THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT (AC TRANSIT) AND TO ENTER INTO AN AGREEMENT WITH AC TRANSIT FOR THE DESIGN AND CONSTRUCTION OF THE LAKESHORE AVENUE COMPLETE STREETS PROJECT

WHEREAS, the City and AC Transit are collaborating on the implementation of the Lakeshore Avenue Complete Streets Project ("Project"); and

WHEREAS, the Project will improve pedestrian crossings, bus stops, and bicyclist access along Lakeshore Avenue at the intersections of Lake Park Avenue and MacArthur Boulevard; and

WHEREAS, AC Transit will reimburse the City for Project expenses incurred up to 25% of the total cost and to a maximum of \$282,500.00; and

WHEREAS, AC Transit seeks to enter into a cooperative agreement for its financial contribution to the Project; and

WHEREAS, the AC Transit contribution of \$282,500.00 matches a \$573,599.00 grant from the Alameda County Transportation Improvement Authority, \$150,000.00 in State Gas Tax funds, and \$200,000.00 in Measure DD funds for a total Project budget of \$1,206,099.00; now, therefore, be it

RESOLVED: That the City Administrator, or his designee, is authorized to accept and appropriate up to \$282,500.00 from AC Transit for the Lakeshore Avenue Complete Streets Project to be deposited in Miscellaneous Grants Fund (2999), 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 to negotiate and execute a cooperative agreement with AC Transit for its financial contribution to the Lakeshore Avenue Complete Streets Project; and be it

FURTHER RESOLVED: That a copy of the executed agreement will be approved for form and legality by the City Attorney's Office and filed with the City Clerk's Office; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is authorized to execute and submit all documents, payment requests, and related actions, and to appropriate any additional funds received for the completion of this Project for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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