



CITY OF OAKLAND

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OFFICE OF THE CITY CLERK  
OAKLAND

2015 DEC 29 PM 4:35

# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Brooke A. Levin  
Director, Public Works

**SUBJECT:** Acceptance of California Active  
Transportation Program Grants

**DATE:** December 21, 2015

City Administrator Approval

Date:

12/29/15

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Up To Four Million Five Hundred Fifty Four Thousand Dollars (\$4,554,000.00) In Active Transportation Program Funds Assigned To The Metropolitan Transportation Commission; Commit Matching Funds Of Up To Three Hundred Sixty Thousand Dollars (\$360,000.00), And; Assure Completion Of The Telegraph Avenue Complete Street Project; And**

**A Resolution Authorizing The City Administrator To Apply For, Accept And Appropriate Up To Four Million Six Hundred Eighty Three Thousand Dollars (\$4,683,000.00) In Active Transportation Program Funds Assigned To The California Transportation Commission For The 19<sup>th</sup> Street BART To Lake Merritt Urban Greenway Project, And; Commit Matching Funds Of Up To One Hundred Thousand Dollars (\$100,000.00).**

## EXECUTIVE SUMMARY

Oakland has been recommended for award of grant funds from the California Active Transportation Program (ATP) for the completion of two projects: the Telegraph Avenue Complete Street Project and the 19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project.

Individual resolutions support each of the projects. The Telegraph Avenue Complete Street Project was awarded by the Metropolitan Transportation Commission (MTC) and requires a resolution of support from the applicant's governing body to that agency. This resolution fulfills this obligation and authorizes the City Administrator or designee to apply, accept and appropriate an award of \$4,554,000.00 in federal funds and commit matching funds of up to \$360,000.00.

The 19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project, awarded directly by the California Transportation Commission (CTC), does not require a resolution of support to the CTC, but only a resolution to apply accept and appropriate \$4,683,000.00 in Active Transportation Program funds, and commit matching funds of up to \$100,000.00.

Item: \_\_\_\_\_  
Public Works Committee  
January 12, 2016

## **BACKGROUND / LEGISLATIVE HISTORY**

The Active Transportation Program (ATP) is a transportation grant source offered by the State of California that consolidates state and federal funding sources to support projects that increase biking and walking. The first cycle of the grant was awarded in 2014; the current award is from 2015, with planned grant cycles every two-three years henceforth.

In this round \$180 million (fifty percent of the total) was awarded in a state-wide competition by the CTC. Forty percent of total funds were allocated to the regional level: in the San Francisco Bay Area, the MTC was delegated \$30 million in funds to award.

Oakland received a total of \$9,237,000.00 for two projects, the most of any jurisdiction in the Bay Area. Grant funds will be available to be obligated in the three fiscal years of 2016/17, 2017/18, and 2018/19 with construction likely to begin in 2018/19.

## **ANALYSIS AND POLICY ALTERNATIVES**

The City of Oakland submitted four grant applications in this round of the Active Transportation Program, and two of the projects were recommended for award. These are described below:

### *Telegraph Avenue Complete Streets Project*

In the regional round, \$4,554,000.00 was recommended for the Telegraph Avenue Complete Street Project. Telegraph Avenue is a critical active transportation corridor in Oakland, linking downtown to numerous neighborhoods and downtown Berkeley. The improvements will include protected bikeways, median refuge islands, and transit boarding islands to reduce bus-bike conflicts and weaving, and curb extensions for pedestrian safety between 20<sup>th</sup> Street and 41<sup>st</sup> Street. The ATP grant will fund final design and construction based on concept plans which were developed in 2013-14 through extensive community outreach and technical analysis. The Telegraph Avenue Complete Street Project, incorporating a road diet and bike lanes, was approved by City Council on December 9, 2014 (Resolution No. 85323 C.M.S.).

### *19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project*

In the Statewide round, this project was recommended for an award of \$4,683,000.00. The project will improve 20<sup>th</sup> Street between Broadway and Harrison Street, widening sidewalks, adding protected bike lanes, and enhancing bus boarding areas and landscaping. It will improve the quality of the connection from BART and the Broadway spine to a revitalized Lake Merritt, meeting the Lakeside Green Streets project that will start construction in 2016. The concept design was completed in 2014-15 through a public process incorporating local businesses, residents, and Oakland's Bicyclist and Pedestrian Commission.

**FISCAL IMPACT**

Design and construction of these projects would not be immediately feasible without these grant funds. Completion of these projects will have a net positive fiscal impact on the City of Oakland by upgrading and/or replacing the transportation infrastructure.

Completion of these projects will require dedication of local funds to match grant funds. While local match was not required for either of these Active Transportation Program applications due to their location in areas which met the statewide or regional definitions for disadvantaged communities, additional points were awarded for provision of local resources. For the 19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project, a local match of \$100,000.00 (2%) was offered, while for the Telegraph Avenue Complete Streets Project, \$360,000.00 (7.3%) was offered. Local match funds are available in the FY2015-17 adopted budget Measure B, fund 2211 in the matching funds project C370010. Grant funds will be deposited in Federal Grants (Fund 2116), Transportation Planning and Funding (Org 30275), project numbers to be established.

**PUBLIC OUTREACH / INTEREST**

Each of the projects was selected from projects previously vetted through an extensive public planning process. In addition, the projects were reviewed by and endorsed by the City's Bicyclist and Pedestrian Commission on May 6, 2015. The Telegraph Avenue Complete Street project was approved by City Council on December 9, 2014 (Resolution No. 85323 C.M.S.).

**COORDINATION**

Applications were coordinated between the Planning and Building Department and Office of Neighborhood Investment, and with the AC Transit District and with BART District due to the projects' interaction with the transit system. In addition, the Office of the City Attorney and the Controller's Bureau reviewed this report and resolution.

**SUSTAINABLE OPPORTUNITIES**

***Economic:*** These investments will enhance the efficiency and affordability of the transportation network and increase the potential for economic and housing development in the City of Oakland.

***Environmental:*** These recommended transportation projects fund bicycle and pedestrian investments in the vicinity of major transit nodes and support the goal of reducing pollutants and greenhouse gases in the City of Oakland and throughout the region.

***Social Equity:*** The recommended projects are intended to provide maximum mobility for those without access to vehicles by improving the bicycle and pedestrian infrastructure.

**CEQA**

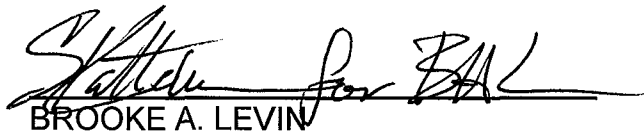
CEQA is not applicable to the approach for selecting projects or the recommended transportation projects themselves. However, future individual transportation projects may require CEQA/NEPA (National Environmental Policy Act) clearances, which will be completed at the appropriate time.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council adopt resolutions authorizing the filing of an application for Active Transportation Program funds, accepting grant awards and appropriating necessary matching funds to complete the Telegraph Complete Streets Project and the 19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project.

For questions regarding this report, please contact Bruce Williams, Transportation Planning and Funding Division at (510) 238-7229.

Respectfully submitted,



BROOKE A. LEVIN  
Director, Oakland Public Works

Reviewed by:  
Michael J. Neary, P.E., Assistant Director  
OPW, Bureau of Engineering and Construction

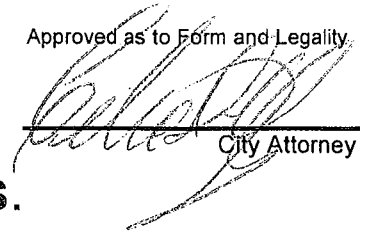
Reviewed by:  
Iris Starr, Division Manager  
Transportation Planning and Funding Division

Prepared by:  
Bruce Williams, Funding Program Manager  
Transportation Planning and Funding Division

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

2015 DEC 29 AM 10:35  
RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO FOUR MILLION FIVE HUNDRED FIFTY FOUR THOUSAND DOLLARS (\$4,554,000.00) IN ACTIVE TRANSPORTATION PROGRAM FUNDS ASSIGNED TO THE METROPOLITAN TRANSPORTATION COMMISSION; COMMIT MATCHING FUNDS OF UP TO THREE HUNDRED SIXTY THOUSAND DOLLARS (\$360,000.00), AND; ASSURE COMPLETION OF THE TELEGRAPH AVENUE COMPLETE STREET PROJECT**

**WHEREAS**, the City of Oakland (“City”) engaged in a planning process for Telegraph Avenue between 19<sup>th</sup> Street and 57<sup>th</sup> Street in 2013 and 2014 to improve bicycle, pedestrian and vehicle safety and operations of the corridor, while preserving its value as a high quality transit corridor; and

**WHEREAS**, the conceptual design of this project incorporates bus boarding islands, continuous protected bikeways, pedestrian bulbouts and enhanced crosswalks, and signal improvements; and

**WHEREAS**, the City wishes to complete the final design and construction of the Telegraph Avenue Complete Street Project between 19<sup>th</sup> Street and 41<sup>st</sup> Street in accordance with City of Oakland Resolution No. 85323 C.M.S. dated December 9, 2014; and

**WHEREAS**, the City submitted an application to the Metropolitan Transportation Commission (“MTC”) for Four Million Five Hundred Fifty Four Thousand Dollars (\$4,554,000.00) in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (“FHWA”) and federal or state funding administered by the California Transportation Commission (“CTC”) such as Surface Transportation Program (“STP”) funding, Congestion Mitigation and Air Quality Improvement (“CMAQ”) funding, Transportation Alternatives Program (“TAP”)/Active Transportation Program (“ATP”) funding, and Regional Transportation Improvement Program (“RTIP”) funding (herein collectively referred to as “Regional Discretionary Funding”) for the Telegraph Avenue Complete Street Project (“Project”) for the Transportation Alternatives Program (“TAP”)/Active Transportation (“ATP”) Program (herein referred to as “Program”); and

**WHEREAS**, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP 21) authorize various federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

**WHEREAS**, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (“MPO”) and the Regional Transportation Planning Agency (“RTPA”); and

**WHEREAS**, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (“TIP”); and

**WHEREAS**, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

**WHEREAS**, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Regional Discretionary Funding; and

**WHEREAS**, the City of Oakland is an eligible sponsor for Regional Discretionary Funding; and

**WHEREAS**, as part of the application for Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- that the Project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the Project as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the Project will have adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and
- that the Project will comply with all project-specific requirements as set forth in the Program; and
- that the City has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by the City; and

**WHEREAS**, that the City is authorized to submit an application for Regional Discretionary Funding for the Project; and

**WHEREAS**, there is no legal impediment to the City making applications for the funds; and

**WHEREAS**, 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 Project; and

**WHEREAS**, the City authorizes its City Administrator, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

**WHEREAS**, MTC recommended the Project for adoption on October 21, 2015 and forwarded its determination to the CTC for adoption December 9, 2015; and

**WHEREAS**, the City wishes to accept grant funds and allocate local matching funds; and

**WHEREAS**, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application: now, therefore be it

**RESOLVED**, that the City will provide any required matching funds; and be it; and be it

**FURTHER RESOLVED**, that the City understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City from other funds, and that the City does not expect any cost increases to be funded with additional Regional Discretionary Funding; and be it

**FURTHER RESOLVED**, that the City understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and the City has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by APPLICANT; and be it

**FURTHER RESOLVED**, that Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it

**FURTHER RESOLVED**, that the City has reviewed the Project and has adequate staffing resources to deliver and complete the Project within the schedule submitted with the project application; and be it

**FURTHER RESOLVED**, that Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program; and be it

**FURTHER RESOLVED**, that the City is an eligible sponsor of Regional Discretionary Funding funded projects; and be it

**FURTHER RESOLVED**, that the City is authorized to submit an application for Regional Discretionary Funding for the Project; 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 Project; and be it

**FURTHER RESOLVED**, that City authorizes its City Administrator, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and be it

**FURTHER RESOLVED**, that the MTC is requested to support the application for the Project described in the resolution, and if approved, to include the Project in MTC's federal TIP upon submittal by the project sponsor for TIP programming; and be it

**FURTHER RESOLVED**, that the City accepts the ATP grant funds to implement the Project; and be it;

**FURTHER RESOLVED**, that the City Council hereby consents to the use of up to Three Hundred Sixty Thousand Dollars (\$360,000.00) in matching funds for the Telegraph Avenue Complete Streets Project from Measure B Local Streets and Roads (Fund 2211), Grants Matching Funds (Project Number C370010); and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the application, acceptance and appropriation of grant proceeds in an amount not to exceed \$4,554,000.00 to be appropriated to Federal Grants Fund (Fund 2116), Transportation Planning and Funding (Org 30275), project number to be established.

**FURTHER RESOLVED**, that should additional funds be received for this Project in FY2015-17, the City Administrator or designee is hereby authorized to accept and appropriate same for the purposes described above; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator or designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the MTC ATP grants and these Projects in accordance with this Resolution and its basic purposes; and be it



**FURTHER RESOLVED**, that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application, and another copy of this resolution will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

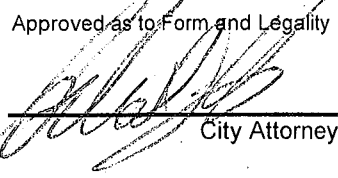
NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_  
LaTonda Simmons  
City Clerk and Clerk of the Council  
of the City of Oakland, California

FILED OAKLAND CITY COUNCIL  
OFFICE OF THE CLERK  
OAKLAND

  
City Attorney

2015 DEC 29 PM 4:33 RESOLUTION No. \_\_\_\_\_ C.M.S.

Introduced by Councilmember \_\_\_\_\_

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO FOUR MILLION SIX HUNDRED EIGHTY THREE THOUSAND DOLLARS (\$4,683,000.00) IN ACTIVE TRANSPORTATION PROGRAM FUNDS ASSIGNED TO THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE 19<sup>TH</sup> STREET BART TO LAKE MERRITT URBAN GREENWAY PROJECT, AND; COMMIT MATCHING FUNDS OF UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000.00)**

**WHEREAS**, in 2013-15 the City of Oakland (“City”) engaged in a public planning process for 20<sup>th</sup> Street between Broadway and Harrison to address deficiencies in pedestrian and bicycle circulation from the BART and the Broadway spine to Lake Merritt; and

**WHEREAS**, a conceptual design of this project incorporates widened sidewalks, bus boarding islands and enhanced transit stop access, protected bike lanes and landscaping, while preserving adequate automobile circulation; and

**WHEREAS**, the City wishes to fund the final design and construction of these improvements; and

**WHEREAS**, the City submitted an application to the California Transportation Commission (“CTC”) for Four Million Six Hundred Eighty Three Thousand Dollars (\$4,683,000.00) in funding for the 19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project (“Project”) in the Active Transportation Program (ATP); and

**WHEREAS**, the CTC recommended award of these funds in an action on October 21, 2015; and

**WHEREAS**, the City is authorized to submit an application for ATP funding; and

**WHEREAS**, there is no legal impediment to the City making applications for the funds; and

**WHEREAS**, 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 Project; and

**WHEREAS**, the City authorizes its City Administrator or designee to execute and file an application with CTC for funding for the Project as referenced in this resolution; and

**WHEREAS**, the City wishes to accept grant funds and allocate local matching funds; now therefore be it

**RESOLVED**, that City is authorized to submit an application for the Project; 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 Project; and be it

**FURTHER RESOLVED**, that City authorizes its City Administrator or designee to execute and file an application with the CTC for the Project as referenced in this resolution; and be it

**FURTHER RESOLVED**, that the City accepts the ATP grant funds to complete the Project; and be it;

**FURTHER RESOLVED**, that the City Council hereby consents to the use of up to One Hundred Thousand Dollars (\$100,000.00) in matching funds for the 19<sup>th</sup> Street BART to Lake Merritt Urban Greenway Project from the Measure B Local Streets and Roads (Fund 2211), Grants Matching Funds (Project Number C370010); and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the application, acceptance and appropriation of grant proceeds in an amount not to exceed \$4,554,000 to be appropriated to Federal Grants (Fund 2116), Transportation Planning and Funding (Org 30275), project number to be established; and be it

**FURTHER RESOLVED**, that should additional funds be received for this Project in FY 2015/17, the City Administrator or designee is hereby authorized to accept and appropriate the same for the purposes described above; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the City Administrator or designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the ATP grants and these Projects in accordance with this Resolution and its basic purposes; and be it

**FURTHER RESOLVED**, that a copy of this resolution will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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