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OFFICE OF THE CITY CLERK
OAKLAND

22 FEB 10 PM 2:35

APPROVED AS TO FORM AND LEGALITY



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89039 C.M.S.

RESOLUTION 1) AUTHORIZING THE CITY ADMINISTRATOR TO ACCEPT AND APPROPRIATE UNITED STATES DEPARTMENT OF TRANSPORTATION REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT PROGRAM FUNDS TOTALING FOURTEEN MILLION FIVE HUNDRED AND SEVEN THOUSAND SEVENTY-FIVE DOLLARS (\$14,507,075) AWARDED TO THE CITY OF OAKLAND FOR THE RECONNECTING THE TOWN: SAFE, RELIABLE AND EQUITABLE ACCESS PROJECT, SUBJECT TO PROCUREMENT OF TWENTY-NINE MILLION, THREE HUNDRED SEVEN THOUSAND, FIVE HUNDRED TWENTY-EIGHT DOLLARS (\$29,3407,528) TO MEET FULL MATCHING REQUIREMENT OF THE RAISE GRANT PROGRAM; AND 2) AUTHORIZING THE CITY ADMINISTRATOR TO TAKE ALL STEPS NECESSARY TO APPLY FOR AND RECEIVE ADDITIONAL FUNDS NECESSARY TO MEET THE MATCHING REQUIREMENT OF THE RAISE GRANT PROGRAM.

WHEREAS, the Consolidated Appropriations Act, 2021 (Pub. L. 116-260, December 27, 2020) appropriated \$1 billion to be awarded by the United States Department of Transportation (USDOT) for National Infrastructure Investments, now known as Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grants; and

WHEREAS, RAISE was previously known as the Better Utilizing Investments to Leverage Development (BUILD) and Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grants; and

WHEREAS, the Fiscal Year (FY) 2021 RAISE round highlighted national priorities to invest in infrastructure projects that result in good-paying jobs, improve safety, apply transformative technology, and explicitly address climate change and racial equity; and

WHEREAS, the City applied for Twenty-Five Million Thousand Dollars (\$25,000,000) in FY 2021 RAISE funding for the City's Reconnecting the Town: Safe, Reliable, and Equitable Access Project (Project) in July 2021; and

WHEREAS, the City was notified of a \$14.5 million RAISE award for the Project in November 2021; and

WHEREAS, the Project will improve access to the historic waterfront and enhance physical and digital connectivity between West Oakland, Old Oakland, Chinatown, Downtown, Uptown, and the Jack London District along 7th Street, and the Martin Luther King Jr. Way and Broadway corridors; and

WHEREAS, the Project will install bus-only lanes on Broadway, buffered bikeways on Martin Luther King Jr. Way, pedestrian improvements on both corridors, and public Wi-Fi expansion on 7th Street through new fiber connectivity; and

WHEREAS, the Project will reconnect some of Oakland's historically redlined neighborhoods while supporting transportation mode shift and broader sustainability goal; and

WHEREAS, the Project was identified through extensive public engagement as part of the 2030 Equitable Climate Action Plan (2020), Let's Bike Oakland (2019), the Downtown Oakland Specific Plan (2019), the Lake Merritt Station Area Plan (2014), and the West Oakland Specific Plan (2014); and

WHEREAS, the Project is consistent with several ongoing City efforts to reduce greenhouse gas emissions, promote mode shift, and support equitable development; and

WHEREAS, the Project also received letters of support from State and regional organizations, transit agencies, and community-based economic development organizations representing several impacted neighborhoods, such as the Jack London Improvement District, the Chinatown Chamber of Commerce, and the Prescott Neighborhood Council; and

WHEREAS, the Project implements high-ranking Capital Improvement Program priorities, addressing geographic disinvestment, safety of most vulnerable users, and advancing local and regional transit connectivity; and

WHEREAS, the City must commit to procuring matching funds of \$29,107,528 when accepting the RAISE funds; and

WHEREAS, the local match requirement for this grant has been identified from a variety of City and third-party sources; and

WHEREAS, the City's matching funds are anticipated to come from the Measure KK infrastructure bonds and the Affordable Housing and Sustainable Community Program grant funds; and

WHEREAS, additional matching funds are anticipated to come from State of California funds that will be allocated to the Port of Oakland for enhanced freight and passenger access in accordance with State Assembly Bill 128 in line item 0521-102-0001; and

WHEREAS, additional matching funds are also anticipated to come from Measure BB funds subject to approval by the Alameda County Transportation Commission (Alameda CTC) as follows: 1) Measure BB 2014 Transportation Expenditure Plan (2014 TEP), of \$8.15 M and will

fully utilize remaining funds in the Broadway Transit Corridor line item; and 2) Measure BB 2014 TEP of \$2M out of a total \$10M committed to the College/Broadway Corridor; and

WHEREAS, AC Transit supports the use of the Measure BB 2014 TEP funds for the Project and has agreed to develop plans to secure the remaining \$8M; and now, therefore, be it

RESOLVED: That the City Council authorizes the City Administrator to accept RAISE grant program funds totaling fourteen million five hundred and seven thousand seventy-five dollars (\$14,507,075) for the Reconnecting the Town: Safe, Reliable, and Equitable Access Project; and be it

FURTHER RESOLVED: That the City Council hereby authorizes an appropriation of the RAISE funds as follows: \$14,507,075 into Miscellaneous Grants Fund (2999), Complete Streets Design Organization (35244), Project number to be determined; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the City Administrator to take all steps necessary to apply for and receive additional funds necessary to meet the matching requirement of the RAISE grant program, including without limitation, seeking the following:

- Measure BB funds subject to Alameda CTC allocation approval:
 - \$2,200,000 (2014 TEP Broadway Transit Corridor line item) – previously allocated to Project 1004912, Fund 2214.
 - \$5,950,000 (2014 TEP Broadway Transit Corridor line item)
 - \$2,000,000 (2014 TEP College/Broadway Corridor line item)
- AC Transit: \$8,000,000 (2014 TEP College/Broadway Corridor line item); and be it

FURTHER RESOLVED: That the use of the RAISE funds does not include the award of any construction contracts and the City Administrator shall return to City Council for all requisite approvals prior to any such award; and be it

FURTHER RESOLVED: That the actions taken in this Resolution are statutorily exempt under California Environment Quality Act Guidelines Section 15261 through 15285 and National Environmental Policy Act Categorical Exemptions (40 CFR §1501.4) for the following reasons: 1) these actions do not authorize the award of any construction of physical facilities or improvements at this time and future discretionary action by the Council will be needed for any such award; 2) funds will be used for feasibility and planning only; and/or 3) funds will be used for previously approved projects that have been analyzed and cleared under requisite plans or approvals, including without limitation the Draft Downtown Oakland Specific Plan (2019), the Lake Merritt Station Area Plan (2014), and the West Oakland Specific Plan (2014); and be it

FURTHER RESOLVED, that a copy of this resolution will be placed on file with the City Clerk; and be it

FURTHER RESOLVED, that the City Administrator or designee, is authorized on behalf of the City of Oakland to execute and submit all documents, payment requests, and related actions consistent with the authorizations set forth in this Resolution.

FEB 15 2022

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

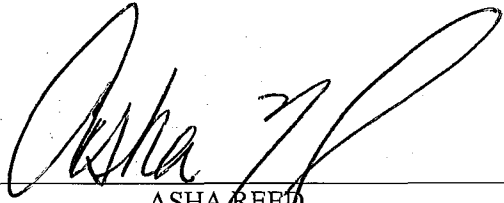
AYES – FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS *— 8*

NOES – *0*

ABSENT – *0*

ABSTENTION – *0*

ATTEST:



ASHA REED

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