

**CITY OF OAKLAND  
AGENDA REPORT**

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

TO: Office of the City Manager  
ATTN: Deborah A. Edgerly  
FROM: Public Works Agency  
DATE: June 8, 2004

2004 MAY 26 AM 10: 04

RE: **RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE \$245,847 IN FY 2004-05 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE GRAND AVENUE TRANSIT/PEDESTRIAN IMPROVEMENT PROJECT (EUCLID, STATEN, PERKINS AND 21<sup>ST</sup>/HARRISON INTERSECTIONS)**

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**SUMMARY**

A resolution has been prepared for the City Council that authorizes the City Manager, or her designee, to apply for, accept, and appropriate up to \$245,847 in State Transportation Development Act (TDA) Article 3 funds to complete the Grand Avenue Transit/Pedestrian Improvement Project. The project will construct pedestrian bulb outs at 3 key intersections with existing AC Transit bus stops. It will also install a new AC Transit bus stop at Harrison and 21<sup>st</sup> Streets to enhance transit access.

This project is consistent with the following City Council Budget Priorities:

- **Make Oakland a Safe City** by improving perception of safety.
- **Improve Oakland Neighborhoods** by improving traffic/bike/pedestrian safety.
- **Maintain and Enhance Oakland's Physical Assets** by providing for accessible sidewalks adjacent to Lake Merritt.

**FISCAL IMPACTS**

The proposed resolution authorizes the appropriation of \$245,847 in TDA funds to complete the construction of the Grand Avenue Transit/Pedestrian Improvement Project. These funds will be deposited to Fund 2162 (Metropolitan Transportation Commission - Transportation Development Act Article 3), Organization Code 92246, Project No. G170450.

This project is partially funded by \$323,000 in Congestion Mitigation Air Quality (CMAQ) Funds (Project No.G170410); Measure B Funding (2210) in the amount of \$21,000; and Alameda County Congestion Management Agency STIP Reserve Funds in the amount of \$42,000, totaling \$386,000. The total cost of this project is \$631,847.

The City's three percent contract compliance fee of \$6,690 was appropriated from the CMAQ funds. Contract compliance is considered ineligible overhead under the TDA Article 3 funds. None of the funding sources will cover the 1.5 percent public art fee, as public art is not a component of this project.

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No matching funds are required in order to receive the TDA Article 3 funds. Maintenance of this capital improvement project will be covered by the City's ongoing maintenance budget.

## **BACKGROUND**

Transportation Development Act (TDA) Article 3 Funds are available from the Metropolitan Transportation Commission (MTC) for bicycle and pedestrian improvement projects. Construction of pedestrian facilities is consistent with the goals of the City of Oakland's General Plan and the Pedestrian Master Plan. The resolution includes an Attachment: "Findings," verifying that the project meets all of the requirements for funding eligibility, including assurance of no legal impediments to the project or the City's ability to deliver the project, availability of City staff resources and adequate funding to complete the project, review of environmental and right-of-way issues to determine that fund obligation deadlines will not be jeopardized, and conceptual review of any contingent issues that should be considered.

The project complies with the California Environmental Quality Act (CEQA); a categorical exemption for this project was filed and approved by Caltrans. With the TDA funding, this project will be fully funded and is expected to be constructed by July 2005.

## **KEY ISSUES AND IMPACTS**

The City has a significant backlog of requests for pedestrian curb ramps and bulb outs. A key strategy to reduce these backlogs involves obtaining infrastructure funding from external grant sources. TDA Article 3 represents a major source from which the City can fund community requests for pedestrian improvements.

The Adams Point community, a high-density neighborhood adjacent to the project area, has requested pedestrian improvements to improve access to Lake Merritt for residents. This project also responds to a long-standing request from the Mayor's Commission on Persons with Disabilities to make the streets surrounding Lake Merritt more accessible and transit-friendly. It will upgrade the curb ramps, in compliance with the Americans With Disabilities Act (ADA) standards, also lowering future liability and maintenance costs.

The project complements the recently installed bicycle lanes on Grand Avenue; together, these two projects reduce the impact of traffic on the Lake Merritt area. The new bus stop at Harrison and 21<sup>st</sup> will encourage commuters to the uptown financial center to take AC Transit to work; commuters will no longer be required to cross the busy intersection at Harrison and Grand to access a bus in the northbound direction.

TDA Article 3 funds must be expended within three years of allocation.

## **PROJECT DESCRIPTION**

These grant funds will be used to 1) construct pedestrian bulb outs, 2) install new ADA standard curb ramps, 3) restripe crosswalks at three intersections with AC Transit bus stops on Grand Avenue (Euclid, Staten, and Perkins) and 4) install a new bus stop at 21<sup>st</sup> and Harrison in the northbound direction, to include construction of new sidewalk and a new bus sign. The project will improve pedestrian access to transit services, as well as to Lake Merritt, the commercial district on lower Grand Avenue and the uptown financial center.

## **SUSTAINABLE OPPORTUNITIES**

Economic: Implementation of this project provides the opportunity to use local contractors, which offer employment openings to Oakland residents, thereby strengthening the local economy.

Environmental: The project encourages walking as an alternative mode of transportation which can help reduce reliance on the automobile and lead to improved air quality.

Social Equity: These projects will provide greater accessibility and safety to persons who depend on non-motorized transportation and public transit to access jobs, recreational facilities and other services.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

The project provides pedestrian facilities that comply with the Americans with Disabilities Act (ADA). By shortening the crossing distance and improving the visibility of pedestrians, the bulb outs will improve street crossings for persons with disabilities and senior citizens. The new bus stop at Harrison and 21<sup>st</sup> will improve disabled and senior access to Lake Merritt and the uptown financial center.

## **RECOMMENDATIONS AND RATIONALE**

Staff recommends that the City Council authorize the City Manager, or her designee, to apply for, accept, and appropriate up to \$245,847 in FY 2004-05 TDA Article 3 funds to construct the Grand Avenue Transit/Pedestrian Improvement Project, to include pedestrian bulb outs and crosswalk restriping at the intersections of Euclid, Staten and Perkins and a new AC Transit bus stop at 21<sup>st</sup> and Harrison.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve this resolution.

Respectfully submitted,



**RAUL GODINEZ II, P.E.**  
Director, Public Works Agency

Reviewed by:  
Wladimir Wlassowsky, P.E.  
Interim Transportation Services Manager

Prepared by:  
Kathryn Hughes  
Bicycle/Pedestrian Program Manager

APPROVED AND FORWARDED TO  
THE PUBLIC WORKS COMMITTEE:

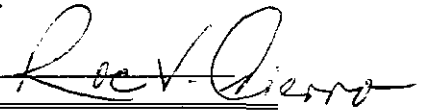
  
**OFFICE OF THE CITY MANAGER**

OAKLAND CITY COUNCIL

FILED RESOLUTION No. \_\_\_\_\_ C.M.S.  
OFFICE OF THE CITY CLERK  
OAKLAND

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

2004 MAY 25 AM 10:04



**RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE \$245,847 IN FY 2004-05 TRANSPORTATION DEVELOPMENT ACT (TDA) FUNDS FOR THE GRAND AVENUE TRANSIT/PEDESTRIAN IMPROVEMENT PROJECT (EUCLID, STATEN, PERKINS AND 21<sup>st</sup>/HARRISON INTERSECTIONS)**

**WHEREAS**, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of applications to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

**WHEREAS**, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No. 875, Revised, entitled "Transportation Development Act, Article 3, Pedestrian/Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

**WHEREAS**, the MTC requires that resolutions authorizing the application, acceptance and appropriation of funds include an Attachment: *Findings*, verifying that there are no legal, fiscal or other impediments to the implementation of this project; and

**WHEREAS**, MTC Resolution No. 875, Revised requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

**WHEREAS**, the City of Oakland declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and

**WHEREAS**, the City of Oakland desires to apply for, accept and appropriate up to \$245,847 in 2004-05 TDA Article 3 funds for the purpose of appropriating said funding to Public Works Agency Transportation Services Division (Fund 2162, Organization Code 92246, Project No.G170450); and

**WHEREAS**, said funding will allow the City to construct the Grand Avenue Transit/Pedestrian Improvement Project, to include pedestrian bulb outs and crosswalk restriping at Euclid, Staten and Perkins and a new AC Transit bus stop at 21<sup>st</sup> and Harrison; now, therefore, be it

**RESOLVED:** that the City of Oakland declares it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code; and be it

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**FURTHER RESOLVED:** that there is no pending or threatened litigation or other impediment that might adversely impair the ability of the City of Oakland to carry out the project, as documented by the Attachment: *Findings* appended to this resolution; and be it

**PUBLIC WORKS CMTE.**  
**JUN 8 2004**

**FURTHER RESOLVED:** that the City of Oakland attests to the accuracy of and approves the statements in the Attachment: *Findings* to this resolution; and be it

**FURTHER RESOLVED:** that the City Council hereby authorizes the application, acceptance and appropriation of FY 2004-05 TDA Article 3 funds in the amount of \$245,847 for the Grand Avenue Transit/Pedestrian Improvement Project; and be it

**FURTHER RESOLVED** that a certified copy of this resolution and its attachments, and any accompanying supporting materials, shall be forwarded to the Alameda County Congestion Management Agency for submission to MTC as part of the countywide coordinated TDA Article 3 claim; and be it

**FURTHER RESOLVED:** That the City Manager, or her designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests and related actions, and to appropriate any additional funds received for the completion of this project; and be it

**FURTHER RESOLVED:** That should additional funds be received for this project, the City Manager, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_

**PASSED THE FOLLOWING VOTE:**

AYES –       BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND  
                  PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

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

CEDA FLOYD

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

**ATTACHMENT TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$245,847 IN FY 2004-05 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE GRAND AVENUE TRANSIT/PEDESTRIAN IMPROVEMENT PROJECT (HARRISON STREET TO EL EMBARCADERO)**

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**Findings**

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2004-05 Transportation Development Act, Article 3, Pedestrian/Bicycle Project Funding

1. That the **CITY OF OAKLAND** is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the **CITY OF OAKLAND** legally impeded from undertaking the project(s) described in the application for project funds.
2. That the **CITY OF OAKLAND** has committed adequate staffing resources to complete the project(s) described in the project application.
3. A review of the project(s) described in the project application has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in the project application have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project described in the project application complies with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.), and that the **CITY OF OAKLAND** is in possession of the document(s) supporting such compliance, said document(s) having been made available to for public review and stamped by the County Clerk or County Recorder of the county in which the claimant is located.
6. That as portrayed in the budgetary description(s) of the project(s) in the application, the sources of funding other than TDA are assured and adequate for completion of the project.
7. That the project described in the application if for capital construction and/or design engineering; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the **CITY OF OAKLAND** within the prior five fiscal years.
8. That the projects described in the application which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan, or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.).
9. That any project described in the application that is a "Class I Bikeway," meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project described in the application is ready to commence implementation during the fiscal year of the requested allocation.
11. That the **CITY OF OAKLAND** agrees to maintain, or provide for the maintenance of, the project and facilities described in the project application, for the benefit of and use by the public.