

CITY OF OAKLAND

AGENDA REPORT

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR 30 PM 7:58

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community & Economic Development Agency
DATE: May 12, 2009

RE: **Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To One Hundred Seventy-Five Thousand Dollars (\$175,000.00) In FY 2009-10 State Transportation Development Act Article 3 Funds As Follows: (1) 27th Street/Bay Place Bikeway, Broadway To Grand Avenue, Seventy-Five Thousand Dollars (\$75,000.00); (2) On-Call Curb Ramp Program, Phase C, Fifty Thousand Dollars (\$50,000.00); And (3) Rehabilitation Of The Margarido Stair And The Eucalyptus Stair And Path, Fifty Thousand Dollars (\$50,000.00) And Waiving The 1.5% Public Art Fee For The Projects**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or his designee, to apply for, accept and appropriate up to \$175,000.00 in State Transportation Development Act (TDA) Article 3 Funds for the following three (3) bicycle and pedestrian projects:

Project	Amount
27th Street/Bay Place Bikeway, Broadway to Grand Ave.	\$75,000.00
On-Call Curb Ramp Project, Phase C	\$50,000.00
Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path	\$50,000.00

FISCAL IMPACTS

Approval of this resolution will authorize the City to accept and appropriate up to \$175,000.00 in State FY 2009-10 TDA Article 3 Funds. No matching funds are required to receive TDA Article 3 Funds, which must be expended within three (3) years of allocation.

Funds for the 27th Street/Bay Place Bikeway, Broadway to Grand Ave, will be deposited into the Transportation Development Act (TDA) Article 3 Fund (2162), Traffic Engineering Organization (92246), Street Construction Account (57411), and a new project number

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(C355220) will be established. The \$75,000.00 in TDA funding will supplement \$50,000.00 in FY 08-09 TDA Article 3 Funds for the project, available in Transportation Development Act (TDA) Article 3 Fund (2162), Traffic Engineering Organization (92246), Street Construction Account (57411), 27th Street/Bay Place Bikeway Project (C355210). The project has a budget of \$125,000.00.

Funds for the On-Call Curb Ramp Project, Phase C will be deposited into the Transportation Development Act (TDA) Article 3 Fund (2162), Capital Projects–Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), and a new project number will be established.

Funds for the Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path will be deposited into the Transportation Development Act (TDA) Article 3 Fund (2162), Capital Projects–Streets and Structures Organization (92242), Street Construction Account (57411), and a new project number will be established. The \$50,000.00 in TDA funding will augment \$491,314.00 available in Measure B Fund (2211), Capital Projects–Streets and Structures Organization (92242), Street Construction (57411) and Contract Contingencies (54011) Accounts, Repair of Eucalyptus Path Project (C214840), and \$231,510.00 available in Measure B Fund (2211), Capital Projects–Streets and Structures Organization (92242), Street Construction (57411) and Contract Contingencies (54011) Accounts, Rehabilitation of Margarido Stairs Project (C214850), for a total project budget of \$772,824.00.

The City's 1.5% public art fee is not an eligible expense under TDA Article 3 program guidelines. For this reason, the resolution requests that this fee of \$2,625.00 be waived for the three projects.

BACKGROUND

TDA Article 3 Funds are available from the Metropolitan Transportation Commission (MTC) for bicycle and pedestrian capital improvement projects. As required by the MTC, the resolution includes Exhibit A ("Findings"), pages A1 to A3, verifying that the projects meet the requirements for funding eligibility. These Findings include assurance of no legal impediments or other factors that would affect the City's ability to deliver the projects. They also verify availability of City staff resources and adequate funding to complete the projects. Finally, the Findings confirm that environmental and right-of-way issues have been reviewed, and that fund obligation deadlines will not be jeopardized. The three projects meet MTC's criteria for eligibility, including review by Oakland's Bicycle and Pedestrian Advisory Committee (BPAC). The BPAC reviewed the recommended allocations of TDA funds at its meetings in January 2009 and February 2009.

Construction of bicycle and pedestrian facilities is consistent with the goals of the City of Oakland's General Plan, the Bicycle Master Plan, and the Pedestrian Master Plan. The selection of these projects is consistent with the Council-adopted criteria set forth in the *Resolution*

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Establishing Prioritization Methods for the City of Oakland's Facilities and Structures, Parks and Open Space, Sewers, Storm Drains, Street, Sidewalks, and Traffic Improvement Infrastructure Needs (Resolution No. 78747 C.M.S., adopted July 20, 2004). All three projects were further prioritized for funding based on readiness for construction.

KEY ISSUES AND IMPACTS

Adoption of this resolution will allow the City to complete its applications for TDA Article 3 funding by the grant deadline of May 22, 2009. The 27th Street/Bay Place Bikeway received \$50,000.00 in TDA funding last fiscal year (FY08-09). This year's funding allocation will be used for pavement repairs in the bike lanes and for minor modifications to two traffic islands to allow for continuous bike lanes. TDA funding will continue to help the City respond in a timely manner to public requests for curb ramps. Hill area stairway rehabilitation is listed as both a short- and long-term priority project in Oakland's Pedestrian Master Plan.

PROJECT DESCRIPTION

- **27th Street/Bay Place Bikeway, Broadway to Grand Avenue**
This project will connect existing bike lanes on Broadway to those on Grand Avenue by installing a combination of Class II bike lanes and Class IIIA arterial bike routes along 27th Street and Bay Place, adjacent to the new Whole Foods Market. The project includes striping and signage, pavement repair, and minor geometric modifications to accommodate bicyclists. The project is located in City Council District 3.
- **On-Call Curb Ramp Project, Phase C**
This project will provide matching funds needed to design and install approximately 65 new curb ramps throughout the City, including ancillary repairs to adjacent curb, gutter, and sidewalk. The on-call project helps the City comply with mandates of the Americans with Disabilities Act (ADA) and improves accessibility for residents throughout the City.
- **Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path**
This project will rehabilitate two dilapidated pedestrian stairways by installing new concrete stairs and pathways and galvanized steel handrails. The project will improve pedestrian access and emergency evacuation routes, as well as access to the Rockridge BART station and commercial district. The project is located in City Council District 1.

SUSTAINABLE OPPORTUNITIES

Economic: Bicycle and pedestrian facilities promote bicycling and walking, the most cost-effective forms of transportation. Bicycle and walking trips tend to be local and thus are more likely to contribute to local economic activity.

Environmental: These projects help reduce air pollution by encouraging walking and bicycling for transportation. Bicycling is the most energy efficient form of transportation and both bicycling and walking create no emissions, thus contributing to the City's efforts to address climate change. The concrete removed to construct new curb ramps will be ground to be reused as recycled aggregate base material for future construction projects in Oakland and surrounding cities. The construction contractor for the on-call curb ramp project will likely use such recycled aggregate base materials underneath the new concrete because it is less expensive than new materials.

Social Equity: The projects improve accessibility and safety for persons who depend on non-motorized transportation and public transit to access jobs, services, and recreational facilities. Bicycling and walking are inexpensive and broadly accessible forms of transportation. These facilities provide added freedom and independence for youth and parents (who are otherwise shuttling their children) as well as for some people who cannot drive and those who have chosen not to drive.

DISABILITY AND SENIOR CITIZEN ACCESS

The curb ramp project improves access to shopping, public transit, and other services for senior citizens and persons with disabilities. The bikeway project will calm traffic by reducing vehicle speeds, and thus provide an indirect benefit for senior citizens and persons with disabilities.

RECOMMENDATION AND RATIONALE

Staff recommends that the City Council authorize the City Administrator, or his designee, to apply for, accept, and appropriate up to \$175,000.00 in State Transportation Development Act (TDA) Article 3 Funds for the following three (3) bicycle and pedestrian projects: (1) 27th Street/Bay Place Bikeway, Broadway to Grand Avenue, Seventy-Five Thousand Dollars (\$75,000.00); (2) On-Call Curb Ramp Program, Phase C, Fifty Thousand Dollars (\$50,000.00); And (3) Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path, Fifty Thousand Dollars (\$50,000.00). Staff also recommends that the City's 1.5% public art fee of \$2,625.00 be waived for the three projects, as this is not an eligible expense under the TDA Article 3 program guidelines.

The grant funds are needed to: (1) complete a bikeway project recommended in the City's Bicycle Master Plan; (2) respond to on-going requests for ADA-compliant curb ramps; and (3) fully fund stairway projects, as recommended in the City's Pedestrian Master Plan.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

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 Manager
Transportation Services Division

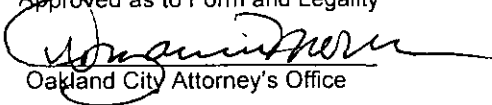
Prepared by:
Jason Patton, Bicycle and Pedestrian Program Manager
Transportation Services Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of the City Administrator

FILED
OFFICE OF THE CITY CLERK
OAKLAND
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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 OF OAKLAND TO APPLY FOR, ACCEPT, AND APPROPRIATE UP TO ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00) IN FY 2009-10 STATE TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS AS FOLLOWS: (1) 27TH STREET/BAY PLACE BIKEWAY, BROADWAY TO GRAND AVENUE, SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00); (2) ON-CALL CURB RAMP PROGRAM, PHASE C, FIFTY THOUSAND DOLLARS (\$50,000.00); AND (3) REHABILITATION OF THE MARGARIDO STAIR AND THE EUCALYPTUS STAIR AND PATH, FIFTY THOUSAND DOLLARS (\$50,000.00) AND WAIVING THE 1.5% PUBLIC ART FEE FOR THE PROJECTS

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 "Exhibit A: 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 \$175,000.00 in FY 2009-10 TDA Article 3 Funds for three (3) projects, as follows: (1) 27th Street/Bay Place Bikeway, Broadway To Grand Avenue, Seventy-Five Thousand Dollars (\$75,000.00); (2) On-Call Curb Ramp Program, Phase C, Fifty Thousand Dollars (\$50,000.00); And (3) Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path, Fifty Thousand Dollars (\$50,000.00); and

WHEREAS, the Community and Economic Development Agency hereby requests a waiver of the 1.5% public art fees for these projects because TDA Article 3 guidelines do not allow the use of grant funds for public art when public art is not a project component; 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

FURTHER RESOLVED: That there is no known pending or threatened litigation that might adversely affect any of the three (3) projects as follows: (1) 27th Street/Bay Place Bikeway, Broadway to Grand Avenue, Seventy-Five Thousand Dollars (\$75,000.00); (2) On-Call Curb Ramp Program, Phase C, Fifty

Thousand Dollars (\$50,000.00); and (3) Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path, Fifty Thousand Dollars (\$50,000.00), or that might impair the ability of the City of Oakland to carry out these projects; and be it

FURTHER RESOLVED: That the City of Oakland attests to the accuracy of and approves the statements in the "Exhibit A: Findings" to this resolution; and be it

FURTHER RESOLVED: That the City Council hereby authorizes the application, acceptance and appropriation of FY 2009-10 TDA Article 3 funds in the amount not to exceed \$175,000.00 to be deposited and appropriated as follows: (1) \$75,000.00 for the 27th Street/Bay Place Bikeway, Broadway To Grand Avenue, into Transportation Development Act (TDA) Article 3 Fund (2162), Traffic Engineering Organization (92246), Street Construction Account (57411), and new project number (C355220) to be established; (2) \$50,000.00 for the On-Call Curb Ramp Project, Phase C into the Transportation Development Act (TDA) Article 3 Fund (2162), Capital Projects-Sidewalk Repair Maintenance Organization (92452), Street Construction Account (57411), and a new project number to be established; and (3) \$50,000.00 for the Rehabilitation of the Margarido Stair and the Eucalyptus Stair and Path into the Transportation Development Act (TDA) Article 3 Fund (2162), Capital Projects-Streets and Structures Organization (92242), Street Construction Account (57411), and a new project number to be established; and be it

FURTHER RESOLVED: That the City's 1.5% public art fee for these projects is hereby waived; and be it

FURTHER RESOLVED: That a certified copy of this resolution and its Exhibits, and any accompanying supporting materials, shall be forwarded to the Alameda County Public Works Department for submission to MTC as part of the countywide coordinated TDA Article 3 claim; and be it

FURTHER RESOLVED: That the City Administrator, or his 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 these projects; and be it

FURTHER RESOLVED: That should additional funds be received for these three (3) projects, the City Administrator, or his designee, is hereby authorized to accept and appropriate the same 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

EXHIBIT A1 TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$75,000.00 IN FY 2009-10 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE 27TH STREET/BAY PLACE BIKEWAY, BROADWAY TO GRAND AVENUE

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2009-10 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 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 is 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 (5) 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 facilities described in the project application, for the benefit of and use by the public.

COMMUNITY & ECONOMIC DEVELOPMENT AGENCY CERTIFICATION: I certify that to the best of my knowledge, this information is accurate, and there is no legal impediment, or pending or threatened litigation, which might adversely affect the proposed project, or the City's ability to carry it out.

Signed: _____

Wladimir Wlascowsky

Date: _____

EXHIBIT A2 TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$50,000.00 IN FY 2009-10 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE **ON-CALL CURB RAMP PROGRAM, PHASE C**

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2009-10 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 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 is 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 (5) 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 facilities described in the project application, for the benefit of and use by the public.

COMMUNITY & ECONOMIC DEVELOPMENT AGENCY CERTIFICATION: I certify that to the best of my knowledge, this information is accurate, and there is no legal impediment, or pending or threatened litigation, which might adversely affect the proposed project, or the City's ability to carry it out.

Signed: _____

Date: _____

Wladimir Wlascowski

EXHIBIT A3 TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$50,000.00 IN FY 2009-10 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR REHABILITATION OF THE MARGARIDO STAIR AND THE EUCALYPTUS STAIR AND PATH

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2009-10 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 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 is 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 facilities described in the project application, for the benefit of and use by the public.

COMMUNITY & ECONOMIC DEVELOPMENT AGENCY CERTIFICATION: I certify that to the best of my knowledge, this information is accurate, and there is no legal impediment, or pending or threatened litigation, which might adversely affect the proposed project, or the City's ability to carry it out.

Signed: _____

Wladimir Wlascowski

Date: _____