


Celso Ortiz (May 13, 2025, 15:53 PDT)

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO: (1) ACCEPT AND APPROPRIATE SIX MILLION DOLLARS (\$6,000,000) IN ALAMEDA COUNTY TRANSPORTATION COMMISSION ADMINISTERED FUNDING FOR: (A) THE MLK JR WAY COMPLETE STREETS PROJECT, (B) CHINATOWN 9TH STREET COMPLETE STREETS PROJECT, AND (C) SPEED CAMERA PROGRAM IMPLEMENTATION; (2) COMMIT UP TO TWELVE MILLION TWO HUNDRED EIGHTY-SEVEN THOUSAND DOLLARS (\$12,287,000) OF MATCHING FUNDS; AND (3) MAKE ASSURANCES TO COMPLETE THE PROJECTS; AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) administers funding programs for projects and programs that benefit the Alameda County transportation system, consisting of 2000 Measure B, 2010 Vehicle Registration Fee (“VRF”), 2014 Measure BB, Congestion Management Agency Transportation Improvement Program (“CMA-TIP”), and Transportation Fund for Clean Air Programs, and such funding is collectively defined as and shall be referenced herein as the “Alameda CTC Administered Funds”; and

WHEREAS, the Alameda CTC adopted 2026 Comprehensive Investment Plan (“CIP”) Guidelines at its Commission meeting on May 23, 2024 which includes procedures governing the 2026 CIP application process, programming guidelines, and eligible uses of Alameda CTC Administered Funds; and

WHEREAS, the City of Oakland Department of Transportation is the project sponsor for the MLK Jr Way Complete Streets Project, Chinatown 9th Street Complete Streets Project, and Speed Camera Program Implementation (“Projects”); and

WHEREAS, the MLK Jr Way Complete Streets Project will implement traffic calming improvements on Martin Luther King Jr. Way from 47th Street to 61st Street through a road diet from six to four lanes, additional pedestrian hybrid beacons at crosswalks, and separated bike lanes; and

WHEREAS, the Chinatown 9th Street Complete Streets Project will implement the Oakland Chinatown Complete Streets Plan by developing 100% designs of pedestrian, bicyclist, and access improvements with a potential two-way conversion of 9th Street from Castro Street to Fallon Street; and

WHEREAS, the Speed Camera Program Implementation Project will pilot automated speed enforcement at eighteen (18) locations across Oakland for at least five years per the specifications outlined in California Assembly Bill 645; and

WHEREAS, through the City of Oakland (“City”) Fiscal Year 2023-2025 budget process, the Oakland City Council approved Resolution No. 89804 granting authorization to the City Administrator to apply for, accept, and appropriate grant funding for identified priority projects in the City’s Capital Improvement Program without additional Council action; and

WHEREAS, the Projects are priority projects identified in the City’s Fiscal Year 2023-2025 Capital Improvement Program; and

WHEREAS, as the Project Sponsor, the City of Oakland Department of Transportation submitted a 2026 CIP application to Alameda CTC in October 2024 for each of the three Projects, applying for a total of \$6,000,000 in funding (“Applications”); and

WHEREAS, there are no legal impediments to the City in applying for funding and there is no active, pending or threatened litigation against the City that may adversely affect the proposed Projects or the ability of the City to deliver such Projects; and

WHEREAS, per City of Oakland Resolution No. 89804, the City Administrator is authorized to execute and file applications with Alameda CTC for discretionary Alameda CTC Administered Funds for the Projects as referenced in this Resolution; and

WHEREAS, as part of the requirements to apply and receive Alameda CTC Administered Funds, Alameda CTC requires a Resolution adopted by the responsible implementing agency affirming the following:

1. Applicant will implement the Projects as described in the Applications; and
2. Applicant will have adequate staffing resources to deliver and complete the Projects within the time period identified in the Applications; and
3. Applicant understands it will enter into a Project Funding Agreement for each of the Projects (“Agreements”) with Alameda CTC, and will comply with the Agreements’ requirements, including adherence to the agreed upon project scope, project delivery milestones, funding deadlines, project reporting and deliverable deadlines; and
4. Applicant is committed to deliver the Projects consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Projects; and
5. Applicant is committed to secure matching funds as proposed in the Applications required for awarded Alameda CTC Administered Funds, by phase; and
6. Applicant is committed to provide any additional funding that may be required beyond the original proposed Application match amounts to deliver the phases of the Projects that are awarded with Alameda CTC Administered Funds; and

7. Applicant understands that Alameda CTC Administered Funds awarded to the Projects is limited to the Commission approved programmed amount by phase, and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between Applicant and Alameda CTC; and
9. Applicant is committed to comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity ("LBCE") Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goal(s) and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirement; now, therefore, be it

RESOLVED: That the City Administrator is authorized to file Applications to Alameda CTC for funding for the Projects per Resolution No. 89804; and be it

FURTHER RESOLVED: That the City Council hereby confirms that there is no pending or threatened litigation that might in any way adversely affect the City's ability to implement and deliver the proposed Project; and be it

FURTHER RESOLVED: That the City Council authorizes the City Administrator to execute the funding Agreement with Alameda CTC; and be it

FURTHER RESOLVED: That if the City is awarded 2026 CIP funding, the City Administrator shall provide Alameda CTC with a fully-executed copy of this Resolution by June 30, 2025; and be it

FURTHER RESOLVED: That by adopting this resolution, the City Council hereby authorizes the City Administrator to certify the following on the Applications:

1. Applicant will commit to implementing the Projects as described in the Applications; and
2. Applicant will have adequate staffing resources to deliver and complete the Projects within the time period identified in the application; and
3. Applicant understands it will enter into an Agreement with Alameda CTC for each of the Projects, and will comply with the Agreements' requirements, including adherence to the completion of the agreed upon project scope, project delivery milestones, funding deadlines, project reporting and deliverable deadlines; and
4. Applicant commits to delivering the Projects consistently with the Commission approved CIP Programming Guidelines and CIP policies, as they may change, for the funds awarded by the Commission to the Projects; and

5. Applicant will commit matching funds as proposed in the Applications against the awarded Alameda CTC Administered Funds by phase in the amount of \$10,220,000 anticipated to be from local and regional sources (Funds 53XX/2218/2219/2230/2232, Project(s) 1005420/1003348/1003469/1001512) for the MLK Jr Way Complete Streets Project, \$667,000 anticipated to be from Measure BB or Vehicle Registration Fund Direct Local Distribution (Fund(s) 2218/2219/2215, Project(s) 1003346/1001512) for the Chinatown 9th Street Complete Streets Project, and \$1,400,000 anticipated to be from Measure BB Direct Local Distribution (Fund 2218/2219) and Speed Camera Program revenue (Fund 2416) for Speed Camera Program Implementation; and
6. Applicant will provide any additional funding that may be required beyond the original proposed Applications' match amount to deliver the phases of the Projects that are awarded with Alameda CTC Administered Funds; and
7. Applicant understands that Alameda CTC Administered Funds awarded to the Projects are limited to the Commission approved programmed amount by phase, and therefore any cost increases or unexpected funding shortfalls cannot be expected to be funded by shifting funds between phases, or by requesting additional Alameda CTC Administered Funds; and
8. Applicant understands that any cost savings in the Alameda CTC-funded phase(s) will be shared proportionally between Applicant and Alameda CTC; and
9. Applicant will comply with the applicable requirements set forth in Alameda CTC's Local Business Contract Equity ("LBCE") Program and related exhibits, as applicable, for professional services and construction contracts funded with Measure B, Measure BB, and/or VRF funds, such as including LBCE Program goal(s) and provisions in applicable solicitations and resulting contracts, providing timely notification to Alameda CTC of applicable solicitations prior to advertisement, and adhering to reporting requirements; and be it

FURTHER RESOLVED: That this action is categorically exempt under CEQA Guidelines Sections 15301, 15302, and 15304, as these projects consist of: (Class 1) the operation, repair, and minor alternation to existing public facilities, (Class 2) replacement or reconstruction of existing structures and facilities, and (Class 4) minor alternations to land, including landscaping and the creation of new facilities in the right-of-way; and be it

FURTHER RESOLVED: That the City Administrator shall file a Notice of Determination/Notice of Exemption with the clerk of the County of Alameda and the Office of Planning and Research on each of the relevant projects named above.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, HOUSTON, JENKINS, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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

OCA DOCUMENT NUMBER / ATTORNEY INITIALS – Updated 1/6/2025