

**CITY OF OAKLAND**  
**AGENDA REPORT**

2009 MAR 26 PM 6:54

TO: Office of the City Administrator  
ATTN: Dan Lindheim  
FROM: Community and Economic Development Agency  
DATE: April 7, 2009

RE: **Resolution Authorizing The City Of Oakland To Accept And Appropriate One Hundred and Twenty-Five Thousand Dollars (\$125,000.00) in 2008-09 Transportation Fund for Clean Air Grant Funds for the Oakland Bay Trail Gap Closure Project (Fruitvale Bridge to Park Street Bridge)**

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**SUMMARY**

A resolution has been prepared for the City Council to authorize the City Administrator or his designee, to accept and appropriate a 2008-09 Transportation Fund for Clean Air (TFCA) grant award in the amount of \$125,000.00. These funds will be used to supplement the construction of a .5 mile Class I (off-street, mixed use) section of the Oakland Bay Trail between the Fruitvale and Park Street Bridges. This project closes the remaining gap between the bridges to create a continuous walking and bicycling facility. It reduces air pollution and traffic congestion by accommodating non-motorized travel to numerous activity and employment centers.

Other projects were considered, however, this project was the only one that was highly eligible for this grant given that it met the Air District's goals to reduce emissions, since it is used for both commuter and recreational uses, is of high priority to the City and the region (San Francisco Bay Trail), is a gap closure project, and its readiness for construction.

**FISCAL IMPACT**

Adoption of this resolution will allow the City to accept and appropriate \$125,000.00 to supplement the construction of a critical project that will help reduce congestion and air pollution. The Oakland Bay Trail Gap Closure funds will be deposited into the Transportation Fund for Clean Air Fund (2166) and appropriated to the Project Management Capital Organization (92270), and a new project number will be established. No local match is required for local TFCA Funds.

The required allocations for Contract Compliance will be set aside in the appropriate accounts upon approval of this resolution. The City's 1.5% public art fee is not an eligible expense under the Transportation Fund for Clean Air guidelines, which limit expenditures to only those costs associated with project implementation. Future maintenance costs resulting from the project are expected to be absorbed within current maintenance appropriations.

Item: \_\_\_\_\_  
Public Works Committee  
April 7, 2009

## **BACKGROUND**

AB434 (Sher; Statutes of 1991) and AB 414 (Sher, Statutes of 1995) permit the Bay Area Air Quality Management District to collect a fee of up to \$4.00 per vehicle per year for the Transportation Fund for Clean Air and related programs. The purpose of the TFCA program is to provide grants to implement the most cost-effective projects that will decrease motor emissions and improve air quality in the Bay Area. The legislation requires the Air District to allocate 40% of the revenue to an overall program manager in each county.

The Alameda County Congestion Management Agency (CMA) is the designated TFCA program manager in Alameda County. Annually, the CMA issues a call for projects that qualify for the 40% funds from local jurisdictions and transit agencies. Projects qualify for these funds by meeting eligibility requirements by specific project type. The Bay Trail qualifies for funding as a bicycle facility project included in the adopted regional and countywide bicycle master plans. The Oakland Bay Trail Gap Closure project (Fruitvale to Park Street Bridge) was considered as highly eligible for this TFCA grant given that it met the Air District's goals to reduce emissions since it is used for both commuter and recreational uses, is of high priority to the City and the region (San Francisco Bay Trail), is a gap closure project, and its readiness for construction.

The Bay Trail is the culmination of a collaboration among a broad range of stakeholders, including local residents, the City, and county and regional agencies. The project received strong community support, as well as voter-approved Measure DD Bond funds.

## **KEY ISSUES AND IMPACTS**

Adoption of this resolution will allow the City to accept and appropriate grant funds to construct a priority critical link in the Oakland Bay Trail, which will extend along the Oakland estuary. This project is part of the Regional San Francisco Bay Trail, which will eventually encircle the waterfront of the entire 9-county Bay Area.

Currently, a narrow, non-useable segment of rocky shoreline, fenced off to block public access, prevents any use of waterfront between Derby and Lancaster Streets. This area encompasses the last remaining Bay Trail gap between the Fruitvale and Park Street Bridges. The project will close that gap by constructing a usable, continuous trail segment between Derby and Lancaster. The project will address the blighted local conditions by providing an attractive and inviting trail setting, with landscaping and related amenities.

The Bay Trail's extension along flat terrain, along with easy public transit access and Oakland's mild year-round climate, is expected to increase recreational and commuter cycling and walking year-round. The project will connect with the existing on-street 7<sup>th</sup> Street/Embarcadero Bay Trail to provide direct (2.5 mile) commuter access to downtown Oakland. The trail will also connect with bicycle lanes on Fruitvale Avenue, providing direct access from the Bay Trail to the Fruitvale BART Station. In tandem with other existing and planned cycling connections, the project is expected to reduce reliance on automobiles and substantially reduce local air pollution.

## **PROJECT DESCRIPTION**

TFCA Funds must construct projects that reduce air pollution, according to cost-effective standards set by the Air District. Project funds must be expended within two years of the transfer of funds from the Air District to the CMA.

The project closes a critical .5 mile gap between the Fruitvale and Park Street Bridges in the Bay Trail along the Oakland Estuary. It constructs two connecting trail sections: 1) a concrete, cantilevered pier-supported trail behind the Oakland Museum Women's Board warehouse located between Lancaster Street and Derby Avenue and 2) an on-grade trail with landscaped terraced shoreline protection at the ends of Lancaster Street and Derby Avenue. The 12-foot-wide Class I (off-street, mixed use) facility will accommodate both bicyclists and pedestrians and is fully compliant with the Americans with Disabilities Act (ADA). The project also installs associated landscaping and other user amenities.

## **SUSTAINABLE OPPORTUNITIES**

**Economic:** The project provides the opportunity for the City to use local contractors who hire Oakland residents. The completed trail will provide viable, low-cost travel options alternatives to low-income residents.

**Environmental:** The project improves air and water quality and addresses climate change, by encouraging walking and bicycling rather than driving to work and local transit services.

**Social Equity:** The project improves accessibility to all those who depend on walking, bicycling, and public transit for traveling to and from work, school, and other frequented destinations.

## **DISABILITY AND SENIOR CITIZEN ACCESS**

The project will construct a fully ADA-compliant trail section, with minimal changes in grade elevation, easily usable by persons with disabilities and seniors.

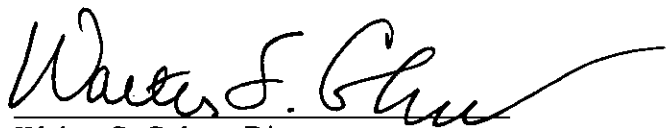
**RECOMMENDATION AND RATIONALE**

Staff recommends that the City Council authorize the City Administrator or his designee to accept and appropriate Transportation for Clean Air funds in the amount of \$125,000.00 for the Oakland Bay Trail Gap Closure Project (Fruitvale to Park Street Bridge). The funds will be used for a capital improvement that reduces air pollution and congestion in our City.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,

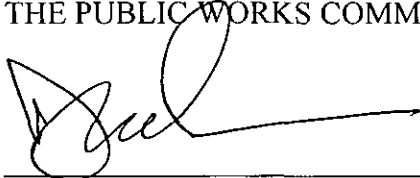


Walter S. Cohen, Director  
Community and Economic Development Agency

Reviewed by:  
Michael J. Neary, P.E.  
Deputy Director  
Community & Economic Development Agency

Prepared by:  
Diane Tannenwald  
Capital Improvement Project Coordinator  
Project Delivery

APPROVED AND FORWARDED TO  
THE PUBLIC WORKS COMMITTEE:



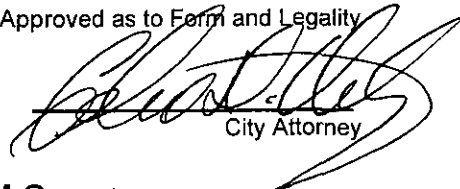
Office of the City Administrator

Item: \_\_\_\_\_  
Public Works Committee  
April 7, 2009

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
2009 MAR 26 PM 6:54

# OAKLAND CITY COUNCIL

Approved as to Form and Legality



City Attorney

RESOLUTION No. \_\_\_\_\_ C.M.S.

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

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**RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO ACCEPT AND APPROPRIATE ONE HUNDRED AND TWENTY FIVE THOUSAND DOLLARS (\$125,000.00) IN 2008-09 TRANSPORTATION FUND FOR CLEAN AIR GRANT FUNDS FOR THE OAKLAND BAY TRAIL GAP CLOSURE PROJECT (FRUITVALE BRIDGE TO PARK STREET BRIDGE)**

**WHEREAS**, AB 434 (Sher, Statutes of 1991) and AB 414 (Sher, Statutes of 1995) permit the Bay Area Air Quality Management District to collect a fee of up to \$4.00 per vehicle per year for the Transportation Fund for Clean Air (TFCA) and related programs to reduce emissions from motor vehicles; and

**WHEREAS**, the Alameda County Congestion Management Agency (CMA) has been designated by the Bay Area Air Quality Management District as program manager in Alameda County for the annual allocation of TFCA program funds; and

**WHEREAS**, no local match is required for TFCA Program Manager funds; and

**WHEREAS**, the City of Oakland applied for \$125,000.00 in 2008-09 TFCA funds for the Oakland Bay Trail Gap Closure Project (Fruitvale Bridge to Park Street Bridge ) for a project that will improve air quality; and

**WHEREAS**, the Community and Economic Development Agency has requested a waiver of the 1.5% public art fee for this project because TFCA guidelines restrict funding use to project implementation; now, therefore, be it

**RESOLVED:** That the City Council hereby authorizes acceptance and appropriation of \$125,000.000 in 2008-09 Transportation Fund for Clean Air grant funds for the Oakland Bay Trail Gap Closure (Fruitvale Bridge to Park Street Bridge ); and be it

**FURTHER RESOLVED;** That said \$125,000.000 funds for the Oakland Bay Trail Gap Closure (Fruitvale Bridge to Park Street Bridge ) be deposited into the Transportation Fund for Clean Air Fund (2166) and appropriated to the Project Management Capital Organization (92270), and a new project number will be established; 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, as well as to appropriate any additional grant funds received for the completion of this project.

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

**PASSED 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