



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO:**

- (1) ACCEPT AND APPROPRIATE TRANSIT AND INTERCITY CAPITAL RAIL PROGRAM (TIRCP) GRANT FUNDS IN THE AMOUNT OF TEN MILLION SEVEN HUNDRED THIRTY-TWO THOUSAND DOLLARS (\$10,732,000) TO IMPLEMENT THE OAKLAND WATERFRONT MOBILITY HUB, ADMINISTERED BY THE CALIFORNIA STATE TRANSPORTATION AGENCY (CALSTA); AND**
- (2) ACCEPT AND APPROPRIATE COMMUNITY PROJECT FUNDING/CONGRESSIONALLY DIRECTED SPENDING (CPFCD) GRANT FUNDS IN THE AMOUNT OF TWO MILLION DOLLARS (\$2,000,000) TO IMPLEMENT THE 7<sup>TH</sup> STREET CONNECTION PROJECT, ADMINISTERED BY THE FEDERAL HIGHWAY ADMINISTRATION (FHWA); AND**
- (3) AMEND RESOLUTION NO. 89039 C.M.S., WHICH ACCEPTED AND APPROPRIATED UNITED STATE 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), TO APPROPRIATE THE RAISE FUNDS TO THE CORRECT FUND ACCOUNT; AND**
- (4) ACCEPT AND APPROPRIATE MEASURE BB FUNDS FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION (ACTC) IN THE AMOUNT OF TEN MILLION, TWO HUNDRED THOUSAND DOLLARS (\$10,200,000), TO IMPLEMENT IMPROVEMENTS ON BROADWAY AS MATCH TO THE RAISE GRANT, PENDING FINAL APPROVAL FROM ACTC; AND**
- (5) ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS.**

**WHEREAS**, the Transforming Oakland's Waterfront Neighborhoods (TOWN) Projects are a comprehensive package of infrastructure improvements that will help reconnect West Oakland, Chinatown, and Downtown Oakland to the Waterfront, while enhancing goods movements and safety for all users; and

**WHEREAS**, the City has applied for various grants in support of these projects, including Transit and Intercity Capital Rail Program (TIRCP) funds, Community Project Funding/Congressionally Directed Spending funds (CPFCDs), and Measure BB funds designated for the Broadway corridor;

**WHEREAS**, the City was awarded \$10,732,000 in TIRCP grant funds through the Cycle Five application process in 2022; and

**WHEREAS**, the City was granted an award of \$2,000,000 in CPFCDs in the federal fiscal year FFY22 under the Bipartisan Infrastructure Law for the 7<sup>th</sup> Street Connection Project; and

**WHEREAS**, on February 15, 2022, the City Council passed Resolution No. 89039, which accepted and appropriated 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) to the City of Oakland for the Reconnecting the Town: Safe Reliable and Equitable Access Project; and

**WHEREAS**, an inadvertent error in Resolution No. 89039 C.M.S. resulted in the RAISE grant funds being incorrectly appropriated to Fund No. 2999 instead of Fund No. 2116; and

**WHEREAS**, it is necessary to correct this error so that the grant funds can be appropriated to the correct fund number and the projects being financed by the RAISE grant can proceed; and

**WHEREAS**, Measure BB funds were identified as a match to the Rebuilding America's Infrastructure through Sustainability and Equity (RAISE) grant awarded to Oakland in 2021, and Resolution No. 89039 C.M.S authorized 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 Measure BB funds identified in the 2014 Transportation Expenditure Plan (TEP); and whereas

**WHEREAS**, the City has applied to receive said Measure BB funds and is awaiting final approval from ACTC, which is scheduled for a meeting in early 2023; and

**WHEREAS**, the City received \$4M in Measure BB funds to implement streetscape improvements on Broadway, of which approximately \$2.2M is remaining in Project 1004912, Fund 2214; and

**WHEREAS**, the City, as lead agency under CEQA, prepared and certified an environmental impact report ("EIR") for the Howard Terminal project and made applicable findings under CEQA, which are applicable to this Resolution to the extent actions herein are considered a "project" under CEQA; now therefore be it

**RESOLVED:** That the City Council authorizes the City Administrator to accept and appropriate a State Transit and Intercity Capital Rail Program (TIRCP) grant of Ten Million Seven Hundred Thirty-Two Thousand dollars (\$10,732,000) to implement the Oakland Waterfront Mobility Hub; and be it

**FURTHER RESOLVED:** That said State grant funds will be deposited and appropriated in the California Department of Transportation Fund 2159, project number(s) to be determined; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to accept and appropriate a Federal Community Project Funding/Congressionally Directed Spending (CPFCDs) grant of Two Million dollars (\$2,000,000) for the 7<sup>th</sup> Street Connection Project; and be it

**FURTHER RESOLVED:** That said Federal grant funds will be deposited and appropriated in the Department of Transportation Fund 2116, project number 1006182; and be it

**FURTHER RESOLVED:** That Resolution No. 89039 C.M.S. is hereby amended to correctly appropriate the RAISE grant totaling Fourteen Million Five Hundred And Seven Thousand Seventy-Five Dollars (\$14,507,075) to the U.S. Department of Transportation, Fund 2116; and be it

**FURTHER RESOLVED:** That the City Council authorizes the City Administrator to accept and appropriate up to Ten Million Two Hundred Thousand (\$10,200,000) in Measure BB funds subject to Alameda CTC allocation approval to implement improvements on Broadway as a match to the RAISE grant program, project and grant fund to be determined; and be it; and be it

**FURTHER RESOLVED:** That the City, as lead agency under CEQA, prepared and certified an environmental impact report for the Howard Terminal Project that reviews future actions by the City to be funded by the grants described in this Resolution, and that some of these future actions also may be exempt from environmental review under CEQA and/or the National Environmental Protection Act (“NEPA”), or are not considered projects defined by CEQA Section 21065 and CEQA Guidelines Section 15378(b)(4) and (5) as fiscal activities and organizational activities that do not result in direct or indirect physical changes to the environment, and that the City will conform to state and federal statutes, regulations, and procedures, as required by CEQA and/or NEPA; 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, 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

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

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