

**CITY OF OAKLAND
COUNCIL AGENDA REPORT**

OFFICE OF THE CITY CLERK
2005 APR 28 PM 3: 32

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: May 10, 2005

RE: RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO THREE HUNDRED ELEVEN THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$311,144) IN FY 2005-06 STATE TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS, AS FOLLOWS: ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$165,000) FOR THE MARKET STREET BIKEWAY PROJECT; TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FOR THE BANCROFT AVENUE BIKEWAY GAP CLOSURES PROJECT; AND ONE HUNDRED TWENTY-ONE THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$121,144) FOR THE CITYWIDE CURB RAMP PROGRAM

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$235,000) IN FY 2005-06 ALAMEDA COUNTY MEASURE B BICYCLE AND PEDESTRIAN DISCRETIONARY FUNDS FOR THE MARKET STREET BIKEWAY PROJECT

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO TWO HUNDRED THOUSAND DOLLARS (\$200,000) IN FY 2005-06 BICYCLE TRANSPORTATION ACCOUNT (BTA) FUNDS FOR THE BANCROFT AVENUE BIKEWAY GAP CLOSURES PROJECT

SUMMARY

Three (3) resolutions have been prepared for the City Council that authorize the City Administrator, or his/her designee, to apply for, accept, and appropriate grant funds from three (3) coordinated funding sources for bicycle and pedestrian projects, as follows:

- 1) A total of \$311,144 in FY 2005-06 Transportation Development Act (TDA) Article 3 Funds, as follows: for the Market Street Bikeway (Phase II: MacArthur to 3rd Street (\$165,000), the Bancroft Avenue Bikeway (Gap Closures Project, on segments from 66th to 82nd Avenue, from 41st Street to Foothill Boulevard, and from 42nd to Bancroft Avenue (\$25,000), and the Citywide Curb Ramps Program (\$121,144);
- 2) FY 2005-06 Measure B Bicycle and Pedestrian County Discretionary Funds for the Market Street Bikeway (Phase II: MacArthur to 3rd Street (\$235,000); and
- 3) FY 2005-06 Statewide Bicycle Transportation Account (BTA) Funds for the Bancroft Avenue Bikeway Gap Closures Project on segments, from 66th to 82nd Avenue, 41st to Foothill, and 42nd to Bancroft (\$200,000).

Item: _____
Public Works Committee
May 10, 2005

The Market Street and Bancroft Avenue bicycle projects are located in Council Districts 3 and 6, respectively. The request-driven curb ramp program installs curb ramps in all Council Districts.

The TDA and County Discretionary Funds resolutions are being submitted concurrently in response to the Alameda County Transportation Improvement Authority's (ACTIA) recent request for coordinated applications for bicycle and pedestrian projects. The TDA funds provide a match for the local Measure B funds for the Market Street Bikeway, as well as a local match for the BTA funds for the Bancroft Avenue Bikeway, as shown below:

Project Name	TDA	Measure B Discretionary Funds	BTA	Total Funding
Market Street Bikeway	\$165,000	\$235,000		\$400,000
Bancroft Ave. Bikeway	\$25,000		\$200,000	\$225,000
Citywide Curb Ramps	\$121,144			\$121,144
TOTALS	\$311,144	\$235,000	\$200,000	\$746,144

These projects are consistent with the following City Council Budget Priorities:

Develop a Sustainable City by maximizing socially and environmentally sustainable economic growth, conserve natural resources and encourage and support social equity for all Oakland residents. The projects facilitate bicycling and walking as travel modes for all residents, supporting conservation of natural resources and social equity.

Build Community and Foster Livable Neighborhoods by providing for accessible streets and sidewalks. The proposed projects improve access and safety for bicyclists, pedestrians, and persons with disabilities.

FISCAL IMPACTS

Approval of the resolutions will allow the City to apply for, accept, and appropriate up to \$746,144 in grant funding for bicycle and pedestrian capital improvement projects from three (3) fund sources summarized below.

TDA Article 3 Funds

The proposed resolution for FY 2005-06 TDA Article 3 Funds authorizes the City to apply for, accept, and appropriate \$311,144 for the following three (3) projects:

Market Street Bikeway Project (\$165,000)

Bancroft Avenue Bikeway Gap Closures Project (\$25,000)

Citywide Curb Ramp Program (\$121,144)

Funds will be deposited to TDA Article 3 Fund (2162); the bikeway projects will be set up in the Traffic Engineering Organization (92246).

The curb ramp funds will be set up in the Streets and Structures Organization (92242). TDA

funds will pay approximately 54% of the curb ramp project's costs; the remaining \$103,856 of this work will be funded with Measure B Fund (2211), pass through funds.

An approved TDA resolution must be submitted by June 1, 2005 to retain eligibility for funding. *No matching funds are required to receive TDA Article 3 Funds, which must be expended within three (3) years of allocation.*

Measure B Bicycle and Pedestrian Discretionary Funds

The proposed resolution for FY 2005-06 Measure B Bicycle and Pedestrian Discretionary Funds authorizes the City to apply for, accept, and appropriate \$235,000 for the **Market Street Bikeway Project**. These funds will be deposited to Measure B Fund (2214) and the Traffic Engineering Organization (92246). No matching funds are required to receive these funds; committing other funds, however, makes projects more competitive. An approved resolution must be submitted by June 1, 2005 to make the projects eligible for funding.

Bicycle Transportation Account Funds

The proposed resolution for FY 2005-06 BTA Funds authorizes the City to apply for, accept, and appropriate \$200,000 for the **Bancroft Avenue Bikeway Gap Closures Project**. These funds will be deposited to State Department of Transportation Fund (2140), the Traffic Engineering Organization Code (92246). The BTA's required minimum local match of 10% will be provided by the \$25,000 in FY 2005-06 TDA Article 3 funds.

A 3% contract compliance fee will be levied on any contracts awarded to design and construct these projects. The City's 1.5% public art fee is not an eligible expense under any of the three (3) funding sources, as public art is not a component of these projects. For this reason, the resolution requests that this fee be waived for these projects. Maintenance of the three (3) proposed projects will be covered by the City's ongoing maintenance budget.

BACKGROUND

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.

Background on Fund Sources

1. TDA Article 3 Funds

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 resolutions include Attachment A ("Findings"), pages 1A to 3A, verifying that the projects meet 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.

2. Measure B Bicycle and Pedestrian Countywide Discretionary Funds

The Alameda County Transportation Improvement Authority's Countywide Discretionary

Fund, funded by the Measure B ½ cent sales tax for transportation, is earmarked for projects and programs that expand and enhance bicycle and pedestrian access, convenience, and safety in Alameda County. The Discretionary Fund provides grants on a competitive basis (to be distinguished from the “pass through” funds allocated to jurisdictions based on population). Projects submitted for grant funding are evaluated by a variety of criteria including: closure of gaps in an existing bicycle facility, access to transit, countywide significance, and ability to leverage outside funding. Geographic equity is also a factor.

3. Bicycle Transportation Account (BTA) Funds

The Bicycle Facilities Unit of Caltrans (Department of Transportation) administers the State BTA. The BTA provides funding to jurisdictions throughout the State for bicycle projects that improve safety and convenience for bicycle commuters. Gap closures that provide continuous bicycle facilities to employment centers and transit are highly eligible for funding.

Background on Projects

Market Street Bikeway

Shown on the City’s Bicycle Master Plan, Market Street provides the most viable, direct commuter bicycle connection through the heart of West Oakland to the Berkeley border. For this reason, Market Street is a high priority project on the Alameda County Bike Plan and is strong contender for County Measure B Discretionary Funds. Phase I (MacArthur Blvd. to 57th Street) was constructed in December 2004, funded by a grant from the Transportation Fund for Clean Air. The current project, Phase II, will close the gap from MacArthur to 3rd Street.

Bancroft Avenue Bikeway Gap Closures Project

The City Bicycle Master Plan recommends bike lanes along the length of Bancroft Avenue, with a connecting link at 42nd Avenue onto Foothill Boulevard to Lake Merritt. With previous grants, bike lanes were installed on all but one mile of Bancroft Avenue, leaving a gap between 66th and 82nd Avenues. On Foothill Boulevard, a signed bike route was recently installed from 36th to 41st Avenues in conjunction with a street resurfacing and traffic-calming project. The current project will also close the gap between 42nd Avenue and Bancroft Avenue, and Foothill Boulevard and 41st Avenue, forming a continuous bikeway from the San Leandro City limits to 41st Avenue.

Citywide Curb Ramp Program

The Citywide Curb Ramp program is an ongoing pedestrian and ADA-compliance effort throughout the City, which has been funded with a combination of local, state and federal funds. The curb ramp work submitted for this year’s TDA funding allocation will be supplemented by Measure B pass-through funds.

Prioritization of Projects

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. All of the proposed projects were selected according to the Council-adopted criteria set forth in

the Resolution 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, (Number 78747, adopted July 20, 2004).

The bicycle projects were further prioritized for funding based on readiness to construct and conformance with the funding agencies' own criteria for eligibility. One other project, San Leandro Bikeway from the Coliseum BART to the San Leandro City limits, was considered eligible but did not meet the readiness criteria.

Locations for the curb ramp and ancillary work are chosen first based on requests by people with disabilities, and second along major transportation corridors, in accordance with the City's Transit First policy. The Mayor's Commission on Persons with Disabilities, Transportation and Mobility Committee sets priorities and approves the location of this work at its monthly meeting.

KEY ISSUES AND IMPACTS

Adoption of these resolutions will allow the City to complete its applications for County-coordinated funding by the June 1, 2005 grant deadline.

Acceptance of these grants will enable Oakland to close gaps in Oakland's bicycle network, address community desire for traffic calming, and reduce the significant backlog of requests for pedestrian curb ramps.

PROJECT DESCRIPTION

Market Street Bikeway

The Market Street Bikeway Project will reconfigure the roadway, reducing a through lane of traffic and installing a center turn lane where feasible, to accommodate 1.9 miles of bike lanes and 0.1 miles of signed bike route on Market Street from 3rd Street to W. MacArthur Boulevard. At the intersection with San Pablo Avenue, traffic signal video cameras will be programmed to detect bicycles.

Bancroft Avenue Bikeway Gap Closures Project

The Bancroft Avenue Bikeway Gap Closures Project will close a one-mile gap in the existing bicycle facility on Bancroft Avenue by removing a through traffic lane in each direction to provide a primarily Class II (bike lane) facility between 66th and 82nd Avenues. The project will also link the bicycle facilities on Bancroft and Foothill Boulevards by constructing a mixed Class II and III (bike lanes and route) facility on Bond Street and 42nd Avenue to Foothill Boulevard. Additional improvements include bicycle signal detection at 42nd and 77th Avenues and a bicycle left-turn lane on 42nd Avenue, to make a smoother transition between connecting streets.

Citywide Curb Ramp Program

The curb ramp work submitted for TDA funding includes installing approximately eighty-seven (87) new ADA-compliant curb ramps plus adjacent repairs to concrete sidewalks (approximately 20 square feet per ramp) and to curbs and gutters (approximately 6 linear feet per ramp) at locations throughout Oakland. The curb ramp work also includes approximately 144 square feet

of detectable warning dome pavers that will be retrofitted onto existing ramps currently without these pavers.

SUSTAINABLE OPPORTUNITIES

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

Environmental: These projects encourage walking and bicycling, 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

Market Street Bikeway and Bancroft Avenue Bikeway Gap Closures Projects

The proposed bikeway projects will improve access on Market Street and Bancroft Avenue for persons with disabilities and senior citizens who use wheelchairs, walk, or bicycle. Wheelchair users can use bike lanes to access to curb ramps or parked vehicles. The reconfiguration of travel lanes will make these streets easier for senior and disabled persons to cross the street.

Citywide Curb Ramp Program

This program will allow the City to provide pedestrian facilities that comply with the Americans with Disabilities Act (ADA), and to bring existing facilities into compliance.

RECOMMENDATIONS AND RATIONALE

Staff recommends that the City Council authorize the City Administrator, or his/her designee, to:

- Apply for, accept, and appropriate up to \$311,144 in FY 2005-06 TDA Article 3 Funds to construct the Market Street Bikeway Project (\$165,000), the Bancroft Avenue Bikeway Gap Closures Project (\$25,000), and to fund the Citywide Curb Ramp Program (\$121,144);
- Apply for, accept and appropriate \$235,000 in FY 2005-06 Measure B Discretionary Funds to construct the Market Street Bikeway Project; and
- Apply for, accept, and appropriate up to \$200,000 in FY 2005-06 BTA funds to construct the Bancroft Avenue Bikeway Gap Closures Project.

The grant funds are needed to construct two (2) priority bikeway projects identified on the City and County Bicycle Master Plans and to continue to implement the Citywide Curb Ramp Program in compliance with ADA requirements to address the access needs for persons with disabilities.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve these three (3) resolutions, which will enable the City Administrator to apply for, accept, and appropriate \$746,144 for the Market Street Bikeway, Bancroft Avenue Bikeway, and Citywide Curb Ramp Program.

Respectfully submitted,

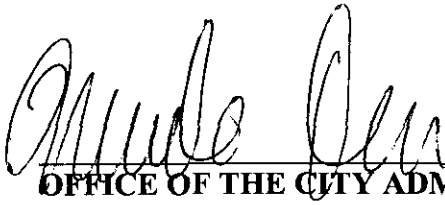


RAUL GODINEZ II, P.E.
Director, Public Works Agency

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

Prepared by:
Kathryn Hughes
Bicycle/Pedestrian Program Manager

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

As per 4/21/05

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. _____ 2005 APR 28 C.M.S: 32

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO THREE HUNDRED ELEVEN THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$311,144) IN FY 2005-06 STATE TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS, AS FOLLOWS: ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$165,000) FOR THE MARKET STREET BIKEWAY PROJECT; TWENTY-FIVE THOUSAND DOLLARS (\$25,000) FOR THE BANCROFT AVENUE BIKEWAY GAP CLOSURES PROJECT; AND ONE HUNDRED TWENTY-ONE THOUSAND ONE HUNDRED FORTY-FOUR DOLLARS (\$121,144) FOR THE CITYWIDE CURB RAMP PROGRAM

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 \$165,000 in FY 2005-06 TDA Article 3 funds for design and construction of the Market Street Bikeway Project; and

WHEREAS, the City of Oakland desires to apply for \$25,000 in FY 2005-06 TDA Article 3 funds for design and construction of the Bancroft Avenue Bikeway Gap Closures Project; and

WHEREAS, the City of Oakland desires to apply for \$121,144 in FY 2005-06 TDA Article 3 funds for the Citywide Curb Ramp Program; and

WHEREAS, the Public Works Agency has requested a waiver of the 1.5% public art fees for these projects because TDA guidelines prohibit 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 pending or threatened litigation that might adversely affect any of the projects named in this resolution, or that might impair the ability of the City of Oakland to carry out the projects; and be it

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 2005-06 TDA Article 3 funds in the amount of \$165,000 for the Market Street Bikeway Project, to be deposited to TDA Article 3 Fund (2162), Traffic Engineering Organization (92246); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the application, acceptance and appropriation of FY 2005-06 TDA Article 3 funds in the amount of \$25,000 for design and construction of the Bancroft Avenue Bikeway Gap Closures Project, to be deposited to TDA Article 3 Fund (2162), Traffic Engineering Organization (92246); and be it

FURTHER RESOLVED: That the City Council hereby authorizes the application, acceptance and appropriation of FY 2005-06 TDA Article 3 funds in the amount of \$121,144 for the Citywide Curb Ramp Program to be deposited to TDA Article 3 Fund (2162), Traffic Engineering Organization (92242); and be it

FURTHER RESOLVED: That the City's 1.5% public art fee and 3% contract compliance fee for the above three projects are hereby waived; 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 Administrator, or his/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 these projects; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Administrator, or his/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, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS

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

ATTACHMENT A

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$165,000 IN FY 2005-06 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE MARKET STREET BIKEWAY, 3RD STREET TO MACARTHUR BLVD.

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2005-06 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 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 and facilities described in the project application, for the benefit of and use by the public.

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT
AND APPROPRIATE UP TO \$25,000 IN FY 2005-06 STATE DEVELOPMENT ACT
(TDA) ARTICLE 3 FUNDS FOR THE BANCROFT AVENUE GAP CLOSURES
PROJECT

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2005-06
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 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 and facilities described in the project application, for the benefit of and use by the public.

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$121,144 IN FY 2005-06 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE CITYWIDE CURB RAMPS PROGRAM

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2005-06 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 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.

Handwritten signature

OFFICE OF THE CITY CLERK
OF OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. _____ 2005 APR 28 PM 3:32

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO TWO HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$235,000) IN FY 2005-06 ALAMEDA COUNTY MEASURE B BICYCLE AND PEDESTRIAN DISCRETIONARY FUNDS FOR THE MARKET STREET BIKEWAY PROJECT

WHEREAS, Alameda County voters in 2000 approved Measure B, a half-cent transportation sales tax to finance projects to improve the County's transportation system, including 5% of net revenue dedicated to bicycle and pedestrian projects; and

WHEREAS, the Alameda County Transportation Improvement Authority (ACTIA) administers the Measure B funds, including a 25% discretionary fund set aside for bicycle and pedestrian safety projects and programs; and

WHEREAS, the City of Oakland is an eligible applicant and desires to apply for, accept and appropriate up to \$235,000 in discretionary funds from ACTIA for the purpose of appropriating said funding to Fund (2214), Public Works Agency, Transportation Services Division organization (92246); and

WHEREAS, said funding will allow the City to design and construct a bikeway on Market Street between 3rd Street and MacArthur Boulevard; and

WHEREAS, the Public Works Agency has requested a waiver of the 1.5% public art fee for this project because ACTIA guidelines prohibit the use of grant funds for public art when public art is not project component; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the application, acceptance and appropriation of FY 2005-06 Measure B discretionary funds in the amount of \$235,000 to design and construct the Market Street Bikeway between 3rd Street and MacArthur Boulevard, to be deposited to Measure B Fund (2214), Transportation Services Division Organization (92246); and be it

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

FURTHER RESOLVED: That the City Administrator, or his/her 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 funds received for the completion of the project; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Administrator, or his/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 – BRUNNER, CHANG, BROOKS, NADEL, REID, QUAN, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS
Interim City Clerk and Interim Clerk of the Council
Of the City of Oakland, California

RS/Red

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 TWO HUNDRED THOUSAND DOLLARS (\$200,000) IN FY 2005-06 BICYCLE TRANSPORTATION ACCOUNT (BTA) FUNDS FOR THE BANCROFT AVENUE BIKEWAY GAP CLOSURES PROJECT

WHEREAS, the State Department of Transportation Bicycle Transportation Account (BTA) annually disburses funding to eligible jurisdictions for projects that improve safety and convenience for bicycle commuters; and

WHEREAS, the City of Oakland desires to apply for, accept and appropriate up to \$200,000 in funding from BTA for fiscal year 2005-06 for the purpose of appropriating said funding to the Public Works Agency, Transportation Services Division Organization (92246), Fund (2140), to design and construct a mixed Class II and III commuter bikeway on Bancroft Avenue, closing a gap in the bikeway between 66th and 82nd Avenues, and connecting the existing Class II bikeway at the west end of Bancroft Avenue with the existing Class II bike route on Foothill Boulevard, as well as implementing spot safety improvements; and

WHEREAS, the City of Oakland will provide the required 10 percent local match for the BTA funds by appropriating \$25,000 from the City's allocation of FY 2005-06 Transportation Development Act funds; and

WHEREAS, said funding will allow the City to design and construct a combined Class II bicycle lane and Class III bicycle route along the Foothill/Bancroft corridor, resulting in a continuous bikeway from 36th Avenue to the San Leandro border; and

WHEREAS, the Public Works Agency has requested a waiver of the 1.5% public art fee for this project because BTA guidelines prohibit the use of grant funds for public art when public art is not a project component; now, therefore, be it

RESOLVED: That the City Council hereby authorizes the application, acceptance and appropriation of FY 2005-06 BTA funds in the amount of \$200,000 to design and construct the Bancroft Avenue Bikeway Gap Closures Project, to be deposited to State Department of Transportation Fund (2140), Transportation Services Division (92246); and be it

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

FURTHER RESOLVED: That the City Administrator or his/her 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 funds received for the completion of the project; and be it

FURTHER RESOLVED: That should additional funds be received for this project, the City Administrator, or his/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, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
LATONDA SIMMONS

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