

**CITY OF OAKLAND  
COUNCIL AGENDA REPORT**

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

2006 APR 25 PM 9:32

TO: Office of the City Administrator  
ATTN: Deborah Edgerly  
FROM: Public Works Agency  
DATE: May 9, 2006

**RE: Resolution Authorizing The City Of Oakland To Apply For, Accept, And Appropriate Up To Five Hundred Eighty Thousand Two Hundred Fifty-Seven Dollars (\$580,257.00) In FY 2006-07 State Transportation Development Act (TDA) Article 3 Funds As Follows: Alameda Avenue Bay Trail Extension Project In The Amount Of Two Hundred Fifty-Three Thousand Six Hundred Twenty-One Dollars (\$253,621.00), Bancroft Avenue Bikeway Project, Phase III, (66th To 82nd Avenues), In The Amount Of One Hundred Thirty-Five Thousand Dollars (\$135,000.00), Bike Lane Restriping And Stenciling Project, Phase II, In The Amount Of One Hundred Seventy-Six Thousand Six Hundred Thirty-Six Dollars (\$176,636.00), And The Cityracks Bicycle Parking Program, Phase V, In The Amount Of Fifteen Thousand Dollars (\$15,000.00)**

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**SUMMARY**

A resolution has been prepared for the City Council that authorizes the City Administrator, or her designee, to apply for, accept, and appropriate up to \$580,257.00 in State Transportation Development Act (TDA) Article 3 Funds for the following four (4) bicycle and pedestrian projects:

<u>Project</u>	<u>Amount</u>	<u>Council District</u>
Alameda Avenue Bay Trail Extension Project	\$253,621.00	5
Bancroft Avenue Bikeway Project, Phase III (66th to 82 <sup>nd</sup> Avenues)	\$135,000.00	6
Bike Lane Restriping and Stenciling Project, Phase II	\$176,636.00	Citywide
CityRacks Bicycle Parking Program, Phase V	\$15,000.00	Citywide

**FISCAL IMPACTS**

Approval of the resolution will allow the City to apply for, accept, and appropriate up to \$580,257.00 in grant funding for bicycle and pedestrian capital improvement projects using FY 2006-07 TDA Article 3 funds. Funds for the Alameda Avenue Bay Trail Extension Project will be appropriated into FY 2006-07 Transportation Development Act (TDA) Article 3 Fund (2162), Capital Project Management Organization (92270), Fruitvale/Alameda Trail DD Project (C243911). Funds for the other three (3) projects will be appropriated into FY 2006-07 Transportation Development Act (TDA) Article 3 Fund (2162), Traffic Engineering Organization (92246), and Projects to be established.

Ongoing maintenance costs as a result of these projects are expected to be minimal and will be absorbed within current maintenance appropriations.

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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 be waived for all four (4) projects. An approved City Council resolution must be submitted by May 19, 2006 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.

## **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 Attachment A ("Findings"), pages 1A to 4A, verifying that the projects meet the requirements for funding eligibility, including assurance of no legal impediments or other factors that would affect the City's ability to deliver the project, availability of City staff resources and adequate funding, 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.

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, Streets, 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 agency's criteria for eligibility. Several other projects, including bike lanes on Havenscourt Boulevard; San Leandro Street, 66<sup>th</sup> to 10<sup>th</sup> Avenue; 27<sup>th</sup> Street/Bay Place, Grand to Market; and Grand Avenue, Market to Mandela, were considered eligible but did not meet the readiness criteria.

## **KEY ISSUES AND IMPACTS**

Adoption of this resolution will allow the City to complete its applications for TDA Article 3 funding by the May 19, 2006 grant deadline. Acceptance of these funds will enable Oakland to build a key segment of the Bay Trail waterfront multi-use path, improve and maintain Oakland's bicycle network and bicycle parking facilities, and address community desire for traffic calming. The specific projects, with related impacts, are discussed below.

### **Alameda Avenue Bay Trail Extension Project (\$253,621.00)**

This project is in the final design phase, but it cannot be constructed because it has a funding shortfall of \$487,000.00. The total project cost is \$600,000.00. Use of TDA funds will allow the City to leverage the \$113,000.00 in Measure DD funds appropriated for this project to develop the Bay Trail along the estuary. The \$253,621.00 in TDA funds will allow the City to leverage additional grant funding, including San Francisco Bay Trail Project funding, to fully fund and complete this project.

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**Bancroft Avenue Bikeway Project, Phase III (66th to 82nd Avenues) (\$135,000.00)**

This project leverages previously-awarded FY 05-06 TDA funds for project design and construction to fund the final phase of the Bancroft Avenue Bikeway. The completed bikeway will extend along the entire length of Bancroft Avenue from 42<sup>nd</sup> Avenue to the San Leandro border, connecting with bicycle lanes in that City to form a 5.4 mile facility, one of the longest continuous bikeways in the East Bay. Approval of funding will allow the City to take advantage of an upcoming citywide street resurfacing contract to prepare the street surface for bike lanes. The contract will be coming to Council for approval in fall 2006.

**Bike Lane Restriping and Stenciling Project, Phase II (\$176,636.00)**

This project allows the City to respond to citizen requests to repaint and upgrade bicycle lanes throughout the City. Use of TDA funds for this purpose also allows the City to stand by the commitment to its funders to maintain bicycle facilities. Where feasible, bike lane striping and stenciling materials will be upgraded to create more durable markings and reduce frequency of maintenance.

**CityRacks Bicycle Parking Program, Phase V (\$15,000.00)**

This project allows the City to respond to a backlog of citizen and merchant requests for conveniently located bicycle racks citywide. It will also allow the City to respond to new requests in a timely manner.

**PROJECT DESCRIPTION**

The **Alameda Avenue Bay Trail Extension Project** will complete a critical segment of the Oakland Waterfront Bay Trail by constructing 0.42 miles of on-street Class II bike lanes on Alameda Avenue between Fruitvale Avenue and High Street and an adjacent 0.2 mile Class I bicycle and pedestrian path along the estuary waterfront. The on-street facility will connect with existing signed bike lanes on Fruitvale Avenue, providing commuter bike access to the Fruitvale BART Station and the Bike Station. The project also connects with the Embarcadero Bay Trail to the west, to complete a continuous three-mile on-street bikeway from Fruitvale Avenue to Broadway. The adjacent Class I multi-use path along the water will reconstruct sidewalk, upgrade curb ramps, and install street furniture.

The **Bancroft Avenue Bikeway Project, Phase III (66th to 82<sup>nd</sup> Avenues)**, will close a one-mile gap in an existing Class II (signed, striped) bicycle facility on Bancroft Avenue between 66th and 82nd Avenues. A separate resolution will be forwarded to City Council to approve the project design later this spring. Phase I of this project constructed bike lanes from 42<sup>nd</sup> to 66<sup>th</sup> Avenues, and from 82<sup>nd</sup> to 98<sup>th</sup> Avenues in 2002. At that time, the gap between 66<sup>th</sup> and 82<sup>nd</sup> was signed as a route, to provide some continuity with the segments on either end. Phase II completed the bicycle lanes from 98<sup>th</sup> Avenue to the San Leandro border in 2003. The current Phase III gap closure project will make the roadway configuration between 66<sup>th</sup> and 82<sup>nd</sup> Avenues consistent with the adjoining sections. At 77<sup>th</sup> Avenue, where the bike lanes are dropped, existing traffic signal video detection cameras will be reprogrammed to detect cyclists based on their likely roadway position to help them cross this intersection. The project will also improve signage to transition cyclists onto Foothill Boulevard.

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The **Bike Lane Restriping and Stenciling Project, Phase II**, continues a project initiated in 2002 to re-stripe and re-stencil bike lanes throughout the City. The project will upgrade the bike lane and stenciling materials where feasible with more durable markings. The project will also install the recently approved Caltrans Shared Use Pavement Bicycle Markings, or “Sharrows,” where bicycle lanes are not feasible to improve bikeway connectivity.

The **CityRacks Bicycle Parking Program, Phase V**, will install approximately 70 bicycle parking racks, accommodating at least 140 bicycles, in the public right-of-way throughout Oakland. Locations will be determined based on requests from merchants, residents, and City project managers who wish to include bicycle parking in their streetscape and other projects. A portion of the funds may be used to adapt approximately 20 existing meter poles for bike parking where the on-street motor vehicle parking payment system is being converted from individual meters to central kiosks.

### **SUSTAINABLE OPPORTUNITIES**

Economic: Implementation of these projects provides the opportunity to use local contractors, which offers employment openings to Oakland residents, thereby strengthening the local economy. Bicycle parking encourages bicycling for errands and shopping, reduces the need for costly automobile parking and promotes local business.

Environmental: These projects encourage walking and bicycling, which can help reduce reliance on the automobile and improve 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**

The Alameda Avenue and Bancroft Avenue projects will improve access 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. The Alameda Avenue project improves walking facilities and complies with Americans with Disabilities Act (ADA) guidelines to provide an accessible waterfront trail.

### **RECOMMENDATIONS AND RATIONALE**

Staff recommends that the City Council authorize the City Administrator, or her designee, to apply for, accept, and appropriate up to \$580,257.00 in FY 2006-07 TDA Article 3 Funds to implement the following four (4) projects: Alameda Avenue Bay Trail Extension Project (\$253,621.00), Bancroft Avenue Bikeway Project, 66th to 82nd Avenues (\$135,000.00), Bike Lane Restriping and Stenciling Project, Phase II (\$176,636.00), and CityRacks Bicycle Parking Program, Phase V (\$15,000.00).

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The grant funds are needed to: 1) construct critical segments of the Bay Trail and Bancroft Bikeway, both priority bikeway projects identified on the City and County Bicycle Master Plans; 2) enhance Oakland’s existing on-street bicycle facilities; and 3) provide needed bicycle parking in the public right-of-way.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



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

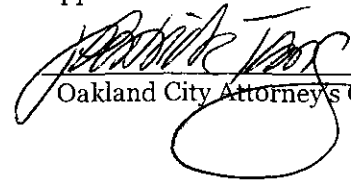
Reviewed by:  
Wladimir Wlassowsky, P.E.  
Manager, Transportation Services Division

Prepared by:  
Kathryn Hughes  
Bicycle/Pedestrian Program Manager

APPROVED AND FORWARDED TO  
THE PUBLIC WORKS COMMITTEE:

  
**OFFICE OF THE CITY ADMINISTRATOR**

OFFICE OF THE CITY CLERK  
OAKLAND

  
Oakland City Attorney's Office

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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 FIVE HUNDRED EIGHTY THOUSAND TWO HUNDRED FIFTY-SEVEN DOLLARS (\$580,257.00) IN FY 2006-07 STATE TRANSPORTATION DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS AS FOLLOWS: ALAMEDA AVENUE BAY TRAIL EXTENSION PROJECT IN THE AMOUNT OF TWO HUNDRED FIFTY-THREE THOUSAND SIX HUNDRED TWENTY-ONE DOLLARS (\$253,621.00), BANCROFT AVENUE BIKEWAY PROJECT, PHASE III (66TH TO 82ND AVENUES) IN THE AMOUNT OF ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS (\$135,000.00), BIKE LANE RESTRIPING AND STENCILING PROJECT, PHASE II IN THE AMOUNT OF ONE HUNDRED SEVENTY-SIX THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS (\$176,636.00), AND THE CITYRACKS BICYCLE PARKING PROGRAM, PHASE V IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00)**

**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 \$253,621.00 in FY 2006-07 TDA Article 3 funds for construction of the Alameda Avenue Bay Trail Extension Project; and

**WHEREAS**, the City of Oakland desires to apply for \$135,000.00 in FY 2006-07 TDA Article 3 funds for design and construction of the Bancroft Avenue Bikeway Project, Phase III, 66th to 82nd Avenues; and

**WHEREAS**, the City of Oakland desires to apply for \$176,636.00 in FY 2006-07 TDA Article 3 funds for the Bike Lane Restriping and Stenciling Project, Phase II; and

**WHEREAS**, the City of Oakland desires to apply for \$15,000.00 in FY 2006-07 TDA Article 3 funds for design and construction of the CityRacks Bicycle Parking Program, Phase V; 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 for, acceptance and appropriation of FY 2006-07 TDA Article 3 funds in the amount of \$253,621.00 for construction of the Alameda Avenue Bay Trail Extension Project, to be deposited and appropriated in the TDA Article 3 Fund (2162), Capital Project Management (92270), and Fruitvale/Alameda Trail DD Project (C243911); and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the application for, acceptance and appropriation of FY 2006-07 TDA Article 3 funds in the amount of \$135,000.00 for design and construction of the Bancroft Avenue Bikeway Project, Phase III (66<sup>th</sup> to 82<sup>nd</sup> Avenues) to be deposited and appropriated in the TDA Article 3 Fund (2162), Traffic Engineering Organization (92246), and Project (TBD); and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the application for, acceptance and appropriation of FY 2006-07 TDA Article 3 funds in the amount of \$176,636.00 for the Bike Lane Restriping and Stenciling Project, Phase II to be deposited and appropriated in the TDA Article 3 Fund (2162), Traffic Engineering Organization (92246), and Project (TBD); and be it

**FURTHER RESOLVED:** That the City Council hereby authorizes the application for, acceptance and appropriation of FY 2006-07 TDA Article 3 funds in the amount of \$15,000.00 for the CityRacks Bicycle Parking Program, Phase V, to be deposited and appropriated in the TDA Article 3 Fund (2162), Traffic Engineering Organization (92246), and Project (TBD); and be it

**FURTHER RESOLVED:** That the City's 1.5% public art fee for the above four (4) projects is 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 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 these projects, the City Administrator, or her designee, is hereby authorized to accept and appropriate the same for the purposes described above.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2006

**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND  
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, California



ATTACHMENT (1) A TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$253,621.00 IN FY 2006-07 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE ALAMEDA AVENUE BAY TRAIL EXTENSION PROJECT

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2006-7 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.

**PUBLIC WORKS 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 Wlascowsky  
Manager Transportation Services

ATTACHMENT (2) A TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$135,000.00 IN FY 2006-07 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE BANCROFT AVENUE BIKEWAY PROJECT, PHASE III

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**Findings**

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2006-07 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.
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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.

**PUBLIC WORKS 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 Wlascowsky  
Manager Transportation Services

ATTACHMENT (3) A TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$176,636.00 IN FY 2006-07 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE BIKE LANE RESTRIPING AND STENCILING PROJECT, PHASE II

**Findings**

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2006-07 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.
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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.

**PUBLIC WORKS 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 Wlascowsky  
Manager, Transportation Services

ATTACHMENT (4) A TO RESOLUTION AUTHORIZING THE CITY OF OAKLAND TO APPLY FOR, ACCEPT AND APPROPRIATE UP TO \$15,000.00 IN FY 2006-07 STATE DEVELOPMENT ACT (TDA) ARTICLE 3 FUNDS FOR THE CITYRACKS BICYCLE PARKING PROGRAM, PHASE V

Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2006-07 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.
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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.

**PUBLIC WORKS 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 Wiassowsky  
Manager Transportation Services