



FILED
OFFICE OF THE CITY CLERK
OAKLAND

2017 NOV -2 AM 10:19 **AGENDA REPORT**

TO: Sabrina B. Landreth
City Administrator

FROM: Ryan Russo, Director
OakDOT

SUBJECT: Acceptance of California Active
Transportation Program Grant

DATE: October 23, 2017

City Administrator Approval

Date:

11/1/17

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator Or Designee To Accept And Appropriate One Million Eight Hundred Ninety Five Thousand Dollars (\$1,895,000) In Active Transportation Program Funds Assigned To The Metropolitan Transportation Commission; Commit Matching Funds Of Up To Two Hundred Twenty Two Thousand Dollars (\$222,000), And; Assure Completion Of The Oakland Safe Routes to School: Crossing to Safety Project.

EXECUTIVE SUMMARY

Oakland has been recommended for an award of grant funds from the California Active Transportation Program (ATP) for the completion of the Safe Routes to School: Crossing to Safety Project located on Park Boulevard near the Edna Brewer Middle School.

The project was awarded by the Metropolitan Transportation Commission (MTC) and requires a resolution of support from the applicant's governing body to that agency. This resolution fulfills this obligation and authorizes the City Administrator or designee to accept and appropriate an award of \$1,895,000 in federal funds and commit matching funds of up to \$220,000.

BACKGROUND / LEGISLATIVE HISTORY

The Active Transportation Program (ATP) is a transportation grant source offered by the California Transportation Commission (CTC) that consolidates state and federal funding sources to support projects that increase biking and walking. Senate Bill 1 (SB1), passed in April, 2017, provided \$200 million in additional revenue per year to augment the ATP, starting in FY 2017-2018.

Following passage of SB1, the CTC elected to reconsider funding projects previously submitted, but not funded in ATP Cycle 3 earlier this year. In this "augmentation" round to the Cycle 3 ATP, \$100 million (fifty percent of the total) was awarded in a state-wide competition by the CTC. Additional funding was allocated to the regional level; in the San Francisco Bay Area, the MTC was delegated \$16 million in funds to award.

Item: _____
Public Works Committee
November 14, 2017

The "Crossing to Safety" project on Park Boulevard near Edna Brewer Middle School was developed initially through a site assessment by city staff in partnership with the Alameda County Transportation Commission's (ACTC) Safe Routes to Schools program in 2012. Staff submitted the project in ATP Cycles 1, 2 and 3. On June 29, 2017, the City Council adopted a Capital Improvement Program for Measure KK (Reso. No. 86816 C.M.S.) that included funding of up to \$2 million for eight school sites including the Park Boulevard/Edna Brewer Middle School project.

ANALYSIS AND POLICY ALTERNATIVES

The Oakland Safe Routes to School: Crossing to Safety Project was one of 38 applications to the 2017 Regional ATP Augmentation Call for Projects to be recommended for award, receiving a total of \$1,895,000. Grant funds will be available to be obligated in the fiscal years of 2018/19 and 2019/20 with construction likely to begin in 2020.

This project is part of Oakland's school safety improvement efforts and will complete a project to slow traffic and increase pedestrian safety at two intersections on Park Boulevard adjacent to Edna Brewer Middle School. The improvements will include extended sidewalks, shorter pedestrian crossings, and a High-Intensity Activated Crosswalk (HAWK) beacon. The project location is a high-volume, high-speed corridor that is especially uncomfortable for school-aged bicyclists and pedestrians. The ATP grant will fund design and construction of the project, with local match provided by Measure KK (Fund 5330) funds devoted to Safe Routes to Schools projects.

FISCAL IMPACT

Design and construction of this project with these ATP grant funds will allow Oakland to leverage Measure KK funds that were allocated to this and seven additional Safe Route to School projects in the FY 2017/2019 Budget. Completion of this project will require dedication of local funds to match grant funds. MTC required a local match of \$220,000, or 10.4% of the total project budget. Local match funds are available in the FY 2017/2019 Budget in Measure KK (Fund 5330) funds in the Neighborhood Traffic Calming, School Area Ped Safety project, which set aside \$2 million in funding for eight school sites including Park Boulevard/Edna Brewer Middle School. Grant funds will be deposited in State Department of Transportation Grants (Fund 2140), Neighborhood Traffic Safety (Org 35244), project numbers to be established.

PUBLIC OUTREACH / INTEREST

The Crossing to Safety project was developed following a walk audit initially performed under the auspices of the Alameda County Transportation Commission Safe Routes to Schools program in 2012. Following this initial work, Oakland staff in then Public Works Agency worked in cooperation with the Oakland Unified School District and the Edna Brewer Middle School Parents and Teachers Association to propose conceptual plans for traffic calming and pedestrian crossing improvements near the school. Input from stakeholders (residents, parents,

Police Department, etc.) was utilized by consultants and staff to create the plan. The project was reviewed and endorsed by school officials prior to submission for grants in 2014, 2015, and 2016.

COORDINATION

Grant Applications for the Crossing to Safety project were coordinated between the City and the School Districts. In addition, within the City of Oakland, the Office of the City Attorney and the Budget Bureau reviewed this report and resolution.

SUSTAINABLE OPPORTUNITIES

Economic: These investments will enhance the efficiency and affordability of the transportation network and increase the potential for economic and housing development in the City of Oakland.

Environmental: These recommended transportation projects fund bicycle and pedestrian investments near public schools, supporting the goal of reducing pollutants and greenhouse gases in the City of Oakland and throughout the region.

Social Equity: The recommended projects are intended to provide maximum mobility for those without access to vehicles, including youth and disadvantaged communities, by improving the bicycle and pedestrian infrastructure.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

CEQA clearances are required as a condition of receiving construction funding allocations from the California Transportation Commission, and the project will be cleared during the preliminary engineering phase in 2018. No significant issues are anticipated.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends that the City Council adopt a resolution authorizing the City Administrator or designee to accept and appropriate one million eight hundred ninety-five thousand dollars (\$1,895,000) in Active Transportation Program funds assigned to the Metropolitan Transportation Commission; commit matching funds of up to two hundred twenty-two thousand dollars (\$222,000), and; assure completion of the Oakland Safe Routes to School: Crossing to Safety Project.

For questions regarding this report, please contact Bruce Williams, Strategic Planning and Administration Division at (510) 238-7229.

Respectfully submitted,



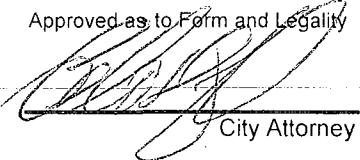
RYAN RUSSO
Director, Department of Transportation

Reviewed by:
Ariel Espirtu Santo, Division Manager
Strategic Planning and Administration

Prepared by:
Bruce Williams, Transportation Funding Mngr
Strategic Planning and Administration

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2017 NOV -2 AM 10:18 RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR DESIGNEE TO ACCEPT AND APPROPRIATE ONE MILLION EIGHT HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$1,895,000) IN ACTIVE TRANSPORTATION FUNDS ASSIGNED TO THE METROPOLITAN TRANSPORTATION COMMISSION; COMMIT MATCHING FUNDS OF UP TO TWO HUNDRED TWENTY-TWO THOUSAND DOLLARS (\$222,000), AND; ASSURE COMPLETION OF THE OAKLAND SAFE ROUTES TO SCHOOL: CROSSING TO SAFETY PROJECT

WHEREAS, the City of Oakland (City), working with the Oakland Unified School District (OUSD) and the Alameda County Transportation Commission (ACTC) Safe Routes to School Program has identified the need for safety improvements along Park Boulevard near Edna Brewer Middle School; and

WHEREAS, a conceptual design of this project was developed by Oakland Department of Transportation staff, with the involvement of the staff and parents of Edna Brewer Middle School, and that design includes sidewalk extensions, pedestrian crossing improvements, signal improvements, and other designs to slow traffic and increase bicycle and pedestrian safety along Park Boulevard; and

WHEREAS, the city wishes to complete this project as a part of Oakland's school safety improvement efforts, and budgeted funding in the FY 2017-19 Budget for Neighborhood Traffic Calming, School Area Pedestrian Safety that identified Park Blvd/Edna Brewer Middle School and seven other school sites for Measure KK funding in City of Oakland Resolution No. 86816 C.M.S. dated June 29, 2017; and

WHEREAS, the City of Oakland submitted an application to the Metropolitan Transportation Commission (MTC) for One Million Eight Hundred Ninety Five Thousand Dollars (\$1,895,000) in funding assigned to MTC for programming discretion, which includes federal funding administered by the Federal Highway Administration (FHWA) and federal or state funding administered by the California Transportation Commission (CTC) such as Surface Transportation Block Grant Program (STP) funding, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funding, Transportation Alternatives (TA) set-aside/Active Transportation Program (ATP) funding, and Regional Transportation Improvement Program (RTIP) funding (herein collectively referred to as Regional Discretionary Funding) for the Oakland Safe Routes to School: Crossing to Safety Project (Project) for the Active Transportation Program (Program); and

WHEREAS, the United States Congress from time to time enacts and amends legislation to provide funding for various transportation needs and programs, (collectively, the Federal Transportation Act) including, but not limited to the Surface Transportation Block Grant

Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives (TA) set-aside (23 U.S.C. § 133); and

WHEREAS, state statutes, including California Streets and Highways Code §182.6, §182.7, and §2381(a)(1), and California Government Code §14527, provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to the Federal Transportation Act, and any regulations promulgated thereunder, eligible project sponsors wishing to receive federal or state funds for a regionally-significant project shall submit an application first with the appropriate MPO, or RTPA, as applicable, for review and inclusion in the federal Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Regional Discretionary Funding; and

WHEREAS, the City is an eligible sponsor for Regional Discretionary Funding; and

WHEREAS, as part of the application Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

- the commitment of any required matching funds; and
- that the sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
- that the Projects will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
- the assurance of the sponsor to complete the Projects as described in the application, subject to environmental clearance, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
- that the Projects will have adequate staffing resources to deliver and complete the Projects within the schedule submitted with the project application; and
- that the Projects will comply with all project-specific requirements as set forth in the Program; and

that the City has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by the City; and

WHEREAS, that City is authorized to submit an application for Regional Discretionary Funding for the Project; and

WHEREAS, the City authorizes its City Administrator or designee to execute and file an application with MTC for Regional Discretionary Funding for the Projects as referenced in this resolution; and

WHEREAS, there is no legal impediment to the City making applications for the funds; and

WHEREAS, there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of the City to deliver such Project; and

WHEREAS, the City wishes to accept grant funds and allocate local matching funds; and

WHEREAS, MTC requires that a copy of this resolution be transmitted to the MTC in conjunction with the filing of the application; now, therefore be it

RESOLVED, that the City is authorized to execute and file an application for funding for the Projects for Regional Discretionary Funding under the Federal Transportation Act or continued funding; and be it

FURTHER RESOLVED that the City will provide any required matching funds; and be it

FURTHER RESOLVED that the City understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the City from other transportation funds, and that City does not expect any cost increases to be funded with additional Regional Discretionary Funding; and be it

FURTHER RESOLVED that City understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and City has, and will retain the expertise, knowledge and resources necessary to deliver federally-funded transportation and transit projects, and has assigned, and will maintain a single point of contact for all FHWA- and CTC-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans, FHWA, and CTC on all communications, inquires or issues that may arise during the federal programming and delivery process for all FHWA- and CTC-funded transportation and transit projects implemented by the City; and be it

FURTHER RESOLVED that the Project will be implemented as described in the complete application and in this resolution, subject to environmental clearance, and, if approved, for the amount approved by MTC and programmed in the federal TIP; and be it

FURTHER RESOLVED that the City has reviewed the Project and has adequate staffing resources to deliver and complete the Projects within the schedule submitted with the project application; and be it

FURTHER RESOLVED that Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program; and be it

FURTHER RESOLVED that the City is an eligible sponsor of Regional Discretionary Funding funded projects; and be it

FURTHER RESOLVED that the City is authorized to submit an application for Regional Discretionary Funding for the Projects; and be it

FURTHER RESOLVED that there is no legal impediment to the City making applications for the funds; and be it

FURTHER RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of the City to deliver such Projects; and be it

FURTHER RESOLVED that the City authorizes its City Administrator or her designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and be it

FURTHER RESOLVED that the City authorizes its City Administrator or her designee to negotiate grant terms, execute, modify, amend and extend agreements, allocate revenue, make expenditures, and take all other actions with respect to the Program and this Project in accordance with this Resolution and its basic purposes; and be it

FURTHER RESOLVED that the MTC is requested to support the application for the Project described in the resolution, and if approved, to include the Projects in MTC's federal TIP upon submittal by the project sponsor for TIP programming; and be it

FURTHER RESOLVED that the City hereby accepts the ATP grant funds awarded by MTC to implement the Project; and be it

FURTHER RESOLVED that the City Council hereby appropriates grant funds that are received for this Project in an amount not to exceed \$1,895,000 into the State Department of Transportation Fund (2140), Neighborhood Traffic Safety Program (Org 35244), project numbers to be established; and be it

FURTHER RESOLVED that the City Council hereby consents to the use of up to \$220,000 in local matching funds, from sources as follows for the project:

- \$150,000 from Fund 5330 Measure KK, School Area Ped Safety funds (project number 1003349) in FY 17/18 for design phase;
- \$72,000 from Fund 5330 Measure KK School Area Ped Safety funds (project number 1003349) in FY 18/19 for construction phase

~~FURTHER RESOLVED~~ that should additional funds, not exceeding \$500,000, be received for the Safe Routes to School: Crossing to Safety Project in FY2017-19, the City Administrator, or her designee, is hereby authorized to accept and appropriate the same for the purposes stated above, and be it

~~FURTHER RESOLVED~~ that a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application, and another copy of this resolution will be placed on file with the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California