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OAKLAND  
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# AGENDA REPORT

**TO:** Sabrina B. Landreth  
City Administrator

**FROM:** Ryan Russo  
Director, DOT

**SUBJECT:** TDA Article 3 FY18-19 Funds  
Approval

**DATE:** March 28, 2018

City Administrator Approval

Date:

4/25/18

## RECOMMENDATION

**Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Hundred And Forty-Three Thousand Eight Hundred And Eleven Dollars (\$443,811.00) In Fiscal Year (FY) 2018-19 State Transportation Development Act Article 3 Funds As Follows: (1) Burr, Wilson, and Palmer StairPath Rehabilitation, One Hundred And Thirty Six Thousand Dollars (\$136,000.00); Peralta Streetscape, Two Hundred Thousand Dollars (\$200,000.00); (3) Chinatown Harrison Swift & Effective Project, One Hundred And Seven Thousand Eight Hundred And Eleven Dollars (\$107,811.00).**

## EXECUTIVE SUMMARY

Approval of the Resolution will authorize the City Administrator to apply for, accept, and appropriate up to \$443,811.00 in State Transportation Development Act Article 3 funds for Fiscal Year (FY) 2018-19. The grant applications require City Council approval and are due in early June 2018. No matching funds are required to receive these funds, which must be expended within three (3) years of allocation. The grant funds will allow the City to implement priority programs identified by the City of Oakland's Bicycle and Pedestrian Master Plans.

## BACKGROUND / LEGISLATIVE HISTORY

Transportation Development Act (TDA) Article 3 funds are derived from the State of California quarter cent transportation sales tax. Article 3 specifically reserves a portion of these funds for bicycle and pedestrian projects. These funds are distributed annually, on a per capita basis, to jurisdictions statewide. The City of Oakland typically uses these funds to support small bicycle or pedestrian projects citywide.

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The Metropolitan Transportation Commission (MTC) administers TDA fund distribution for the San Francisco Bay Area, and imposes certain requirements on fund recipients. To accept TDA Article 3 funds, the City must propose projects and determine that: (a) there are no legal impediments or other factors that would affect the City's ability to deliver the project(s); (b) sufficient staff resources and funding are available to complete the projects; and (c) there are no environmental or right-of-way issues that would jeopardize fund obligation deadlines. To claim TDA funds, these findings must be adopted by the City Council and are included as Exhibit A ("Findings") to the resolution. An additional requirement is that projects must be reviewed by the City's Bicyclist and Pedestrian Advisory Commission (BPAC). The BPAC reviewed and endorsed the proposed projects at the BPAC meeting on February 15, 2018 and March 15, 2018.

### **ANALYSIS/ POLICY ALTERNATIVES**

Adoption of this resolution will allow the City to complete its applications for TDA Article 3 funding by the grant deadline in early June 2018. Construction of bicycle and pedestrian facilities is consistent with the goals of the City of Oakland's General Plan, Bicycle Master Plan, and Pedestrian Master Plan. The selection of projects is consistent with 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 (Resolution No. 78747 C.M.S., adopted July 20, 2004). The three projects/programs were further prioritized for funding based on readiness for implementation:

- **Burr, Wilson, and Palmer StairPath Rehabilitation Project:** The Stairs and Paths Program rehabilitates deteriorated stairs, paths, handrails, and landings across the City, maintaining important mid-block points of access and a diverse pedestrian network. Prioritizing projects based on physical condition (40%), proximity to schools/transit (30%) and equity / location in Communities of Concern (30%), TDA funding would be used to rehabilitate stair paths from Wilson to Damuth and Burr to Seneca, and handrails along the Palmer path between East 32nd St. and East 33rd St. These paths link pedestrians to local amenities such as the Youth Uprising Career Center, Castlemont HS, Peoples Missionary Baptist Church, Kasper's Hot Dogs, Jade Palace Chinese Kitchen, and Banyan Roots Yoga. **Attachment A** provides a location map for this project.
- **The Peralta Streetscape Project** will install bike lanes, bulb-outs, improved sidewalks, and ADA curb ramps along Peralta between 7th and 36th Street. With construction expenses in excess of \$3M, the \$200K request would be used to fund unforeseen project cost increases resulting from storm drain re-design and a subsequent higher cost in pipes. **Attachment B** provides a location map for this project.
- **Chinatown Harrison Swift & Effective Project:** Swift and Effective street improvements utilize relatively low-cost materials with quick implementation timelines to address urgent traffic safety needs. To make the greatest impact in preventing life-ending and life-changing injuries, OakDOT is prioritizing high injury corridors, or streets

with the highest concentrations of severe and fatal crashes, for safety improvements. Harrison Street has been identified as a High Injury Corridor in the City's draft analysis. The Chinatown Harrison Swift and Effective Project will scope, develop, and implement low-cost pedestrian safety designs in collaboration with community members and AC Transit. **Attachment C** provides a location map for this project.

### **FISCAL IMPACT**

Without TDA Article 3 grant funding, completion of these projects and programs would require the City to use other fund sources such as Measures B or BB. Using grant funds to augment funding from the City's Capital Improvement Program extends the City's ability to finance needed improvements. Implementation of these projects will have a net positive fiscal impact on the City of Oakland by funding infrastructure upgrades. There is no local match required for this fund source.

Upon award of the grants, funds will be appropriated as follows:

- Burr, Wilson, and Palmer StairPath Rehabilitation Project: one hundred and thirty-six thousand dollars (\$136,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Engineering Design Organization (92242), Street Construction Account (57411), and a new project number to be established;
- The Peralta Streetscape Project: two hundred thousand dollars (\$200,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Engineering Design Organization (92242), Street Construction Account (57411), Project Number (1000974)
- Chinatown Harrison Swift & Effective Project: one hundred and seven thousand eight hundred and eleven dollars (\$107,811.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Street Construction Account (57411), and a new project number to be established

### **PUBLIC OUTREACH / INTEREST**

Each year, the list of proposed projects is reviewed by the City's Bicyclist and Pedestrian Advisory Commission (BPAC) to receive input on the proposals and to meet the grant requirements. These meetings are noticed and open to the public. This year, the BPAC considered and endorsed the TDA project list at its February and March meeting. Noting the Commission's desire to fund quicker and more innovative bicycle and pedestrian projects, staff added the Chinatown Harrison Swift & Effective Project to the program.

Furthermore, OakDOT's Stair/Paths Program also undergoes public review via the BPAC meetings and transparently organizes projects on the basis of asset condition, proximity to schools/transit, and potential to invest underserved areas of Oakland. The entire Stair/Path Program has gone through public outreach in the past. The Peralta Streetscape project worked with the West Oakland Project Area Committee (WOPAC), the community advisory body to the

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Oakland Redevelopment Agency and City Council on matters relating to the West Oakland Redevelopment Project Area) extensively to develop the project. Plans were presented to Oakland Bicycle and Pedestrian Advisory Committee (BPAC) and AC Transit for review and comment. Finally, the Chinatown Harrison Swift & Effective Project will actively partner with community members, local organizations (e.g. Asian Health Services, Chinatown Coalition) and AC Transit to seek input.

### **COORDINATION**

The Office of the City Attorney and the Budget Bureau were consulted in preparation of this report.

### **SUSTAINABLE OPPORTUNITIES**

**Economic:** Bicycle and pedestrian facilities encourage biking and walking, two of the most cost-effective forms of transportation. Bicycle and pedestrian trips tend to be local and thus are more likely to contribute to local economic activity.

**Environmental:** Bicycling and walking are energy efficient forms of transportation that create no emissions, contributing to the City's efforts to reduce air pollution and address climate change.

**Social Equity:** The projects improve accessibility and safety for persons who depend on non-motorized transportation and public transit to access jobs, services, and recreational facilities. Biking and walking are inexpensive and broadly accessible forms of transportation.

### **CEQA**

The projects selected for TDA funding are exempt from California Environmental Quality Act, CEQA pursuant to CEQA Guidelines Sections 15060(c)(3) (not a project), 15061(b)(3) (no significant effect), and/or 15301(c) (existing facilities).

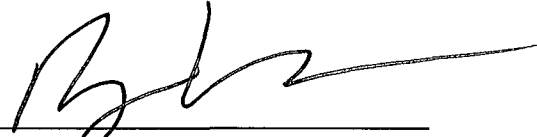
### **ACTION REQUESTED OF THE CITY COUNCIL**

Adopt A Resolution Authorizing The City Administrator To Apply For, Accept, And Appropriate Up To Four Hundred And Forty-Three Thousand Eight Hundred And Eleven Dollars (\$443,811.00) In Fiscal Year (FY) 2018-19 State Transportation Development Act Article 3 Funds As Follows: (1) Burr, Wilson, and Palmer StairPath Rehabilitation, One Hundred And Thirty-Six Thousand Dollars (\$136,000.00); Peralta Streetscape, Two Hundred Thousand Dollars (\$200,000.00); (3) Chinatown Harrison Swift & Effective Project, One Hundred And Seven Thousand Eight Hundred And Eleven Dollars (\$107,811.00).

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For questions regarding this report, please contact Bruce Williams, Funding Program Manager, at 510-238-7229.

Respectfully submitted,



RYAN RUSSO  
Director, Department of Transportation

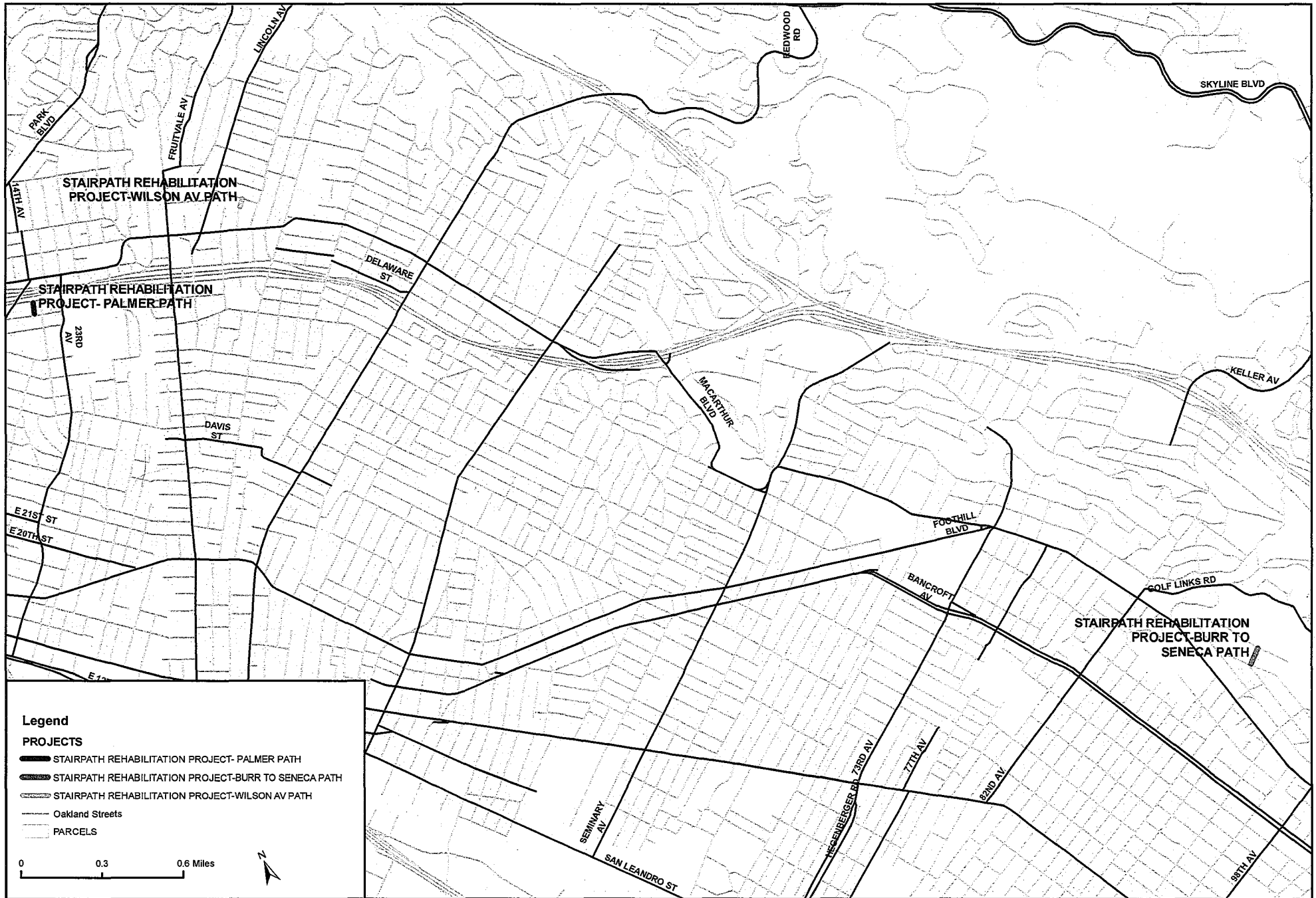
Reviewed by:  
Wladimir Wlassowsky, P.E.  
Interim Assistant Director

Prepared by:  
Bruce Williams  
Funding Program Manager

Attachments (3):






- A: Burr, Wilson, and Palmer StairPath Rehabilitation Project Maps
- B: The Peralta Streetscape Project Map
- C: Chinatown Harrison Swift & Effective Project Map

# ATTACHMENT A: BURR, WILSON, AND PALMER STAIRPATH REHABILITATION PROJECT



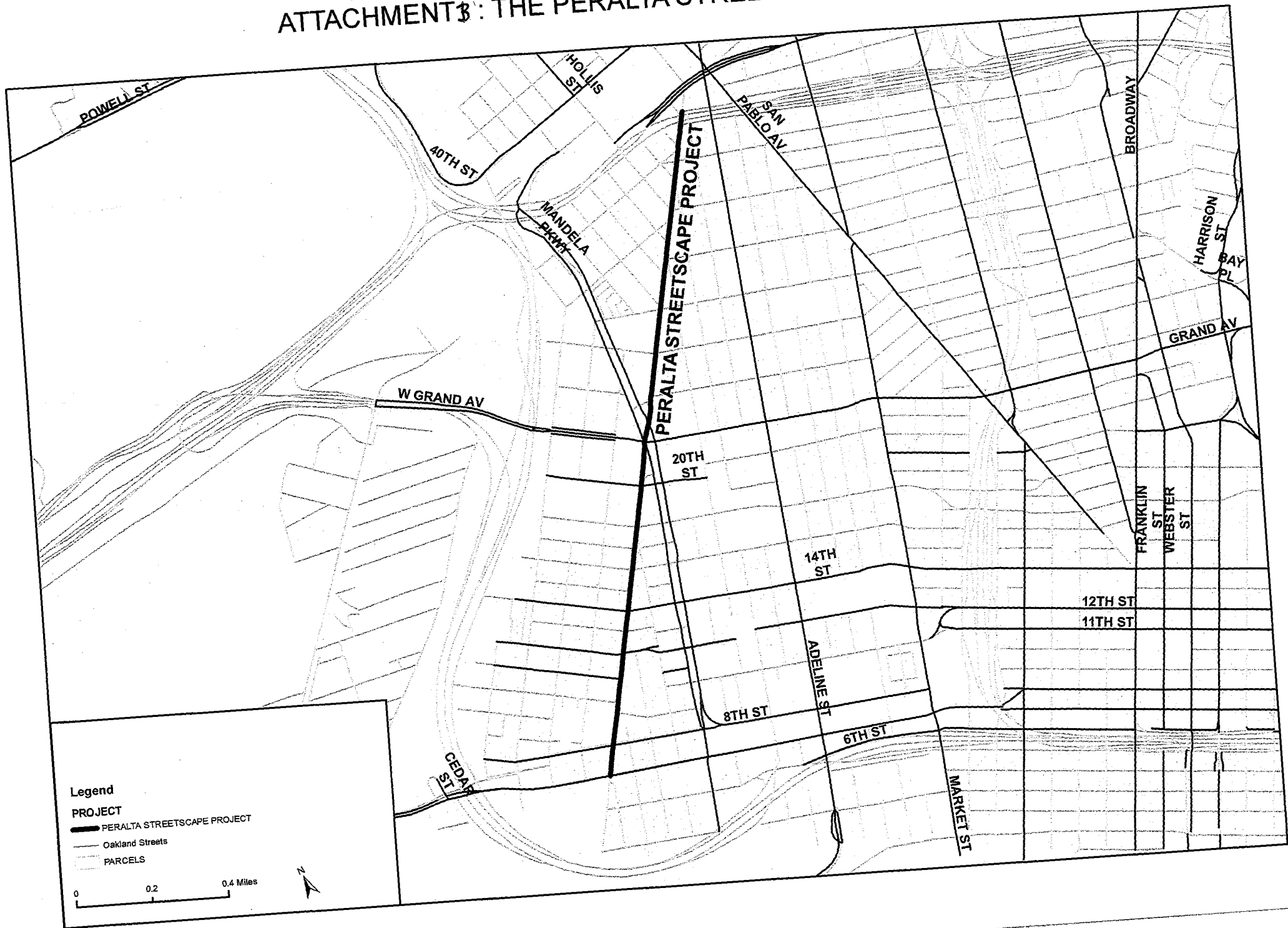
## Legend

### PROJECTS

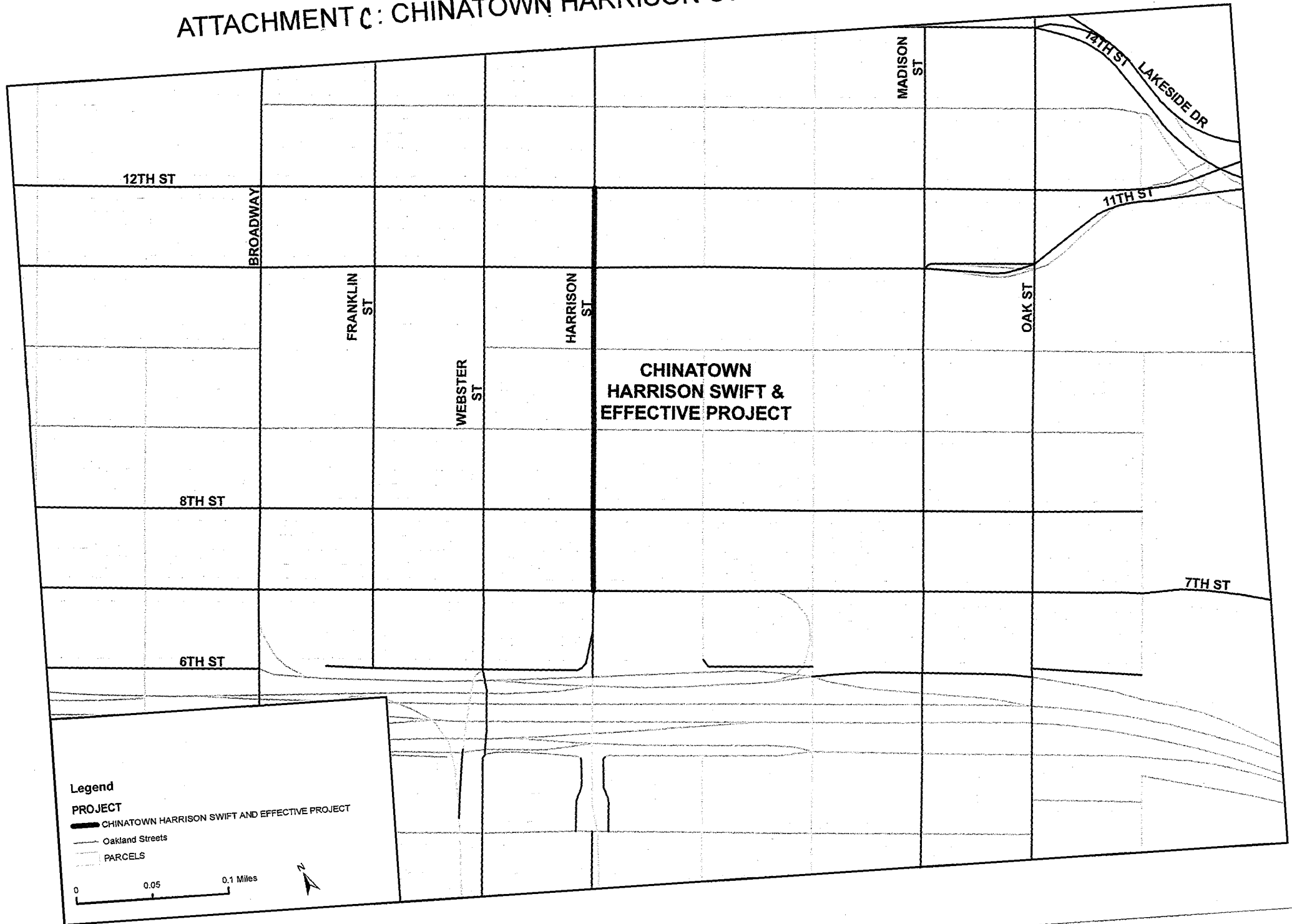
-  STAIRPATH REHABILITATION PROJECT- PALMER PATH
-  STAIRPATH REHABILITATION PROJECT-BURR TO SENECA PATH
-  STAIRPATH REHABILITATION PROJECT-WILSON AV PATH
-  Oakland Streets
-  PARCELS



# ATTACHMENT 3: THE PERALTA STREETScape PROJECT

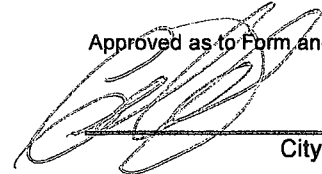


# ATTACHMENT C: CHINATOWN HARRISON SWIFT & EFFECTIVE PROJECT





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City Attorney

# OAKLAND CITY COUNCIL

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

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO APPLY FOR, ACCEPT, AND APPROPRIATE UP TO FOUR HUNDRED AND FORTY-THREE THOUSAND EIGHT HUNDRED AND ELEVEN DOLLARS (\$443,811.00) IN FISCAL YEAR 2018-19 STATE TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 FUNDS AS FOLLOWS: (1) BURR, WILSON, AND PALMER STAIRPATH REHABILITATION, ONE HUNDRED AND THIRTY-SIX THOUSAND DOLLARS (\$136,000.00); PERALTA STREETSCAPE, TWO HUNDRED THOUSAND DOLLARS (\$200,000.00); (3) CHINATOWN HARRISON SWIFT & EFFECTIVE PROJECT, ONE HUNDRED AND SEVEN THOUSAND EIGHT HUNDRED AND ELEVEN DOLLARS (\$107,811.00).**

**WHEREAS**, Article 3 of the Transportation Development Act (TDA), Public Utilities Code 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. 4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

**WHEREAS**, MTC Resolution No. 4108 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 desires to submit a request through Alameda County to MTC for the allocation of TDA Article 3 funds to support the projects described in the Agenda Report accompanying this resolution, which are for the exclusive benefit and/or use of pedestrians and/or bicyclists; and

**WHEREAS**, the requirements of the California Environmental Quality Act (CEQA) have been satisfied; 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 the projects described in *Exhibit A* to 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 projects were reviewed by the City of Oakland's Bicyclist and Pedestrian Advisory Commission (BPAC), fulfilling the requirement for BPAC review stipulated by MTC Resolution No. 4108; and be it

**FURTHER RESOLVED**, that the City of Oakland attests to the accuracy of and approves the statements in Exhibit A to this resolution; 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 Public Works Agency as part of the countywide coordinated TDA Article 3 claim; and be it

**FURTHER RESOLVED**, that the projects are exempt from CEQA pursuant to CEQA Guidelines Sections 15060(c)(3), 15061(b)(3), and/or 15301(c), and on a separate and independent basis the projects have environmental clearance under the Environmental Impact Report for the Bicycle Master Plan (2007), certified by City Council Resolution 80959 C.M.S.; and be it

**FURTHER RESOLVED**, that the City Council hereby authorizes the application, acceptance, and appropriation of Fiscal Year 2018-19 State TDA Article 3 funds in the amount not to exceed \$443,811.00 to be deposited and appropriated as follows: (1) Burr, Wilson, and Palmer StairPath Rehabilitation Project: one hundred and thirty-six thousand dollars (\$136,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Engineering Design Organization (92242), Street Construction Account (57411), and a new project number to be established; (2) The Peralta Streetscape Project: two hundred thousand dollars (\$200,000.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Street Construction Account (57411), Project Number (1000974); and (3) Chinatown Harrison Swift & Effective Project: one hundred and seven thousand eight hundred and eleven dollars (\$107,811.00) into the Transportation Development Act (TDA) Article 3 Fund (2162), Transportation Planning Organization (92260), Street Construction Account (57411), and a new project number to be established;

**FURTHER RESOLVED**, that the City Administrator, or here designee, is authorized on behalf of the City of Oakland to execute and submit all documents, payment requests, and related actions.

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

**Exhibit:**

**Exhibit A, Findings – Request to the Metropolitan Transportation**

EXHIBIT A TO RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO  
APPLY FOR, ACCEPT AND APPROPRIATE TRANSPORTATION DEVELOPMENT  
ACT (TDA) ARTICLE 3 FY18-19 FUNDS

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Findings

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2018-2019 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle 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(s) described in the project application comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
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(s).
7. That the project(s) described in the application are 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 project(s) described in the application is included in a locally approved bicycle, pedestrian, transit, multimodal, complete streets, or other relevant plan.
9. That any project described in the application that is a bikeway meets the mandatory minimum safety design criteria published in Chapter 1000 of the California Highway Design Manual.
10. That the project(s) described in the application will be completed before the funds expire.
11. That the CITY OF OAKLAND agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in the project application, for the benefit of and use by the public.