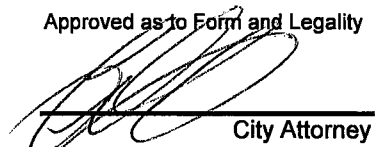


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

  
\_\_\_\_\_  
City Attorney

2018 SEP 12 PM 4:33 RESOLUTION No. 87374 C.M.S.

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

**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR OR HER DESIGNEE TO ACCEPT AND APPROPRIATE FIVE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS (\$5,850,000.00) IN ACTIVE TRANSPORTATION PROGRAM FUNDS ASSIGNED TO THE CALIFORNIA TRANSPORTATION COMMISSION FOR THE FRUITVALE ALIVE GAP CLOSURE PROJECT, AND; COMMIT MATCHING FUNDS OF UP TO TWO MILLION FOUR HUNDRED FORTY-ONE THOUSAND DOLLARS (\$2,441,000.00)**

**WHEREAS**, the Fruitvale Alive! Community Transportation Plan (2005) first proposed bicycle and pedestrian improvements on Fruitvale Avenue; and

**WHEREAS**, the Oakland Bicycle Master Plan (2012 and 2007) identifies Fruitvale Avenue as a major regional connector; and

**WHEREAS**, Alameda County Transportation Commission (“ACTC”) funded a conceptual design for bicycle and pedestrian improvements between East 12<sup>th</sup> Street and the Oakland Estuary in 2015, and

**WHEREAS**, a conceptual design of improvements to Fruitvale Avenue between East 12<sup>th</sup> Street and Alameda Avenue includes widened sidewalks, improved pedestrian crossings, pedestrian scale lighting, and raised cycle tracks; and

**WHEREAS**, two community engagement meetings were held during the conceptual design phase in May 2015 and May 2016 to review preliminary and final concepts; and

**WHEREAS**, the City wishes to fund the final design and construction of these improvements; and

**WHEREAS**, the City submitted an application to the California Transportation Commission (“CTC”) for five million eight hundred fifty dollars (\$5,850,000.00) in funding for the Fruitvale Alive Gap Closure Project (“Project”) in the Active Transportation Program (“ATP”); and

**WHEREAS**, the CTC recommended award of these funds in an action on October 18, 2017; and

**WHEREAS**, the City’s adopted FY 2017-2019 Capital Improvement Plan on June 29, 2016 (Resolution No 86821 C.M.S. includes this project and specifies its eligibility for local matching funds from Measure KK Fund (5330), Streetscapes/Complete Streets Capital Project (1003348); 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; now therefore, be it

**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 Project; and be it

**FURTHER RESOLVED**, that the City accepts the ATP grant funds to complete the Project; and be it;

**FURTHER RESOLVED**, that the City Council hereby authorizes the application, acceptance and appropriation of grant proceeds in an amount not to exceed five million eight hundred fifty thousand dollars (\$5,850,000.00) to be appropriated to California Department of Transportation Fund (2140), Complete Streets Planning and Design Org (35212), Fruitvale Alive Gap Closure Project (1000724); and be it

**FURTHER RESOLVED**, that the City Council hereby consents to the use of up to four hundred sixty-six thousand dollars (\$466,000.00) in matching funds for the Project's preliminary engineering phase from the FY 2018/19 Measure KK Fund (5330) Streetscapes/Complete Streets Project (1003348), and be it

**FURTHER RESOLVED**, that the City Council hereby consents to the use of up to one million nine hundred seventy thousand dollars (\$1,975,000.00) in matching funds for the Project's construction phase from future year Measure KK (Fund 5330) Streetscapes/Complete Streets Project, or Measure B/BB Grants Matching Funds Project (1001512), contingent upon the availability of funding and approval of the FY2019-2021 Capital Improvement Program (CIP) matching funds budget for Measure KK, Measure B and Measure BB; and be it

**FURTHER RESOLVED**, that should additional funds be received from the California Active Transportation Program (ATP) for this Project, the City Administrator or designee is hereby authorized to accept and appropriate the same for the purposes described above in FY2019-2021; and be it

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

**FURTHER RESOLVED**, that a copy of this resolution will be placed on file with the City Clerk.

OCT 16 2018

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

**PASSED BY THE FOLLOWING VOTE:**

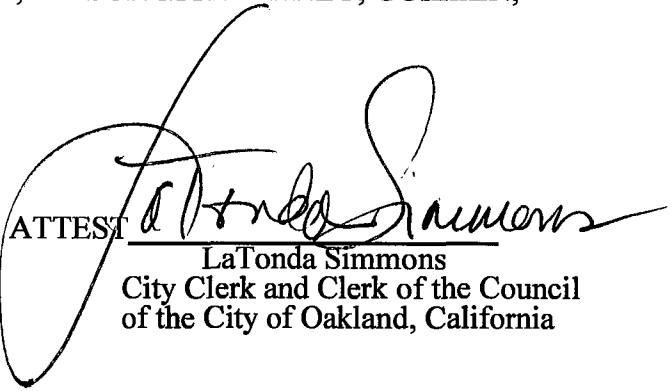
**AYES** - ~~WASHINGTON~~, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, AND PRESIDENT REID - 7

**NOES** - 0

**ABSENT** - 0

**ABSTENTION:** 0

Excused - I Brooks

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