



Office of the City Manager

CONSENT CALENDAR
June 4, 2024

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Terrance Davis, Director, Public Works
Subject: Active Transportation Program Cycle 7 Grant Funding Applications

RECOMMENDATION

Adopt four Resolutions authorizing the City Manager to submit grant applications to the Caltrans Active Transportation Program (ATP) for the following projects: Southwest Berkeley Bike Boulevards for up to \$4 million; Adeline Street Quick-Build for up to \$1.05 million; accept the grants if awarded, and execute any resulting agreements and amendments. Two of these Resolutions are for applications to the Caltrans-administered ATP Statewide grant program, and two are applications to a regional sub-program, administered by the Metropolitan Transportation Commission (MTC).

FISCAL IMPACTS OF RECOMMENDATION

If the City wins these grant awards, Caltrans will provide a total of up to \$4,916,100 to the City’s State Transportation Grants Fund (Fund 344) for improvements to several major corridors and local streets. The ATP funding request for the Southwest Berkeley Bike Boulevards project is \$3,875,100. The ATP funding request for the Adeline Street Quick-Build improvements is \$1,041,000. The ATP requires that applicants provide at least 11.47% of the total funding amount in matching funds. Required matching funds in the amount of \$563,900 are available starting in fiscal year 2029 from Measure BB Fund 134 (Bicycle and Pedestrian) and Fund 134 (Local Streets and Roads). The total estimated ATP funding request for both projects is \$4,916,000.

ATP Cycle 7 Grant Funding Requests and Matching Funds

Southwest Berkeley Bike Boulevards	\$3,875,100
Adeline Street Quick-Build	\$1,041,000
Total ATP Grant Funding Request	\$4,916,100
City Matching Funds Available	\$563,900
TOTAL ATP Grant and City Match	\$5,480,000

CURRENT SITUATION AND ITS EFFECTS

The safety countermeasures and traffic calming improvements in these projects were identified in the following Council approved plans: 2017 Berkeley Bike Plan, 2020 Berkeley Vision Zero Plan, 2020 Berkeley Pedestrian Plan, and the 2020 Adeline

Corridor Specific Plan. These projects will connect people to key destinations in Southwest Berkeley, including the Ashby BART station, Ed Roberts Campus, Malcolm X Elementary School and businesses in the Lorin District. Both projects will close gaps between existing and planned low-stress bike infrastructure in South and Southwest Berkeley. The Southwest Berkeley Bike Boulevards project will be submitted in the “Capital Projects” ATP grant category, and the Adeline Street Quick-Build project will be submitted in the “Quick-Build” grant category.

Southwest Berkeley Bike Boulevards

The Southwest Berkeley Bike Boulevards project will install bicycle boulevard treatments along the following routes:

- Mabel Street from Russell Street to 66th Avenue
- 66th Avenue from Mabel Street to Idaho Street
- Idaho Street from 66th Street to Harmon Street
- Harmon Street from Idaho Street to King Street
- King Street from Prince Street to Alcatraz Avenue
- Prince Street from King Street to MLK Jr Way, and
- Alcatraz Avenue from Sacramento Street to Adeline Street.

Bicycle Boulevard treatments on Mabel Street, 66th Avenue, Idaho Street, Harmon Street and Prince Street will include traffic circles, new signage, roadway stencils, a hybrid-beacon crossing at Sacramento Street and additional traffic calming safety measures. Bike lanes will be added on Alcatraz Avenue from Adeline Street to King Street with additional traffic calming safety measures along the existing Bicycle Boulevard on King Street. Pedestrian safety will be improved throughout the project area by implementing ADA-compliant curb ramps, median refuges, hardened centerlines, curb extensions and raised and high visibility crosswalks where feasible.

Adeline Quick-Build Project

This project runs on Adeline Street from Ashby Avenue to the Berkeley city limit at approximately 61st Street. There are currently six lanes of traffic on Adeline Street (three lanes in each direction). This project would reduce the number of through lanes from six to four lanes (two in each direction) and accommodate construction of a one-way protected bike lane (“cycle track”) on each side of Adeline Street. This will make an important connection in the regional bike network, bridging the gap from where the Adeline Street cycle track ends at Ashby Avenue in Berkeley to where it resumes on Adeline at the Oakland border. It will also connect to the cycle track that the City of Oakland is planning for Martin Luther King Jr Way. The low cost of project materials will create a cost-effective means of constructing safe infrastructure while offering the Public Works design flexibility to respond to community input. If awarded, Public Works will coordinate with Oakland’s Department of Transportation to align our project delivery schedules and design as much as possible to provide a safe connection between jurisdictions. Transit operation impacts will be considered, and this project will include bus boarding islands at several stops along Adeline Street to minimize conflicts between bicyclists, buses and pedestrians.

BACKGROUND

The ATP is a State program managed by Caltrans, which consolidates previous federal and state transportation funding programs, including the Transportation Alternatives Program, Bicycle Transportation Account and State Safe Routes to School, into a single program with a focus to make California a national leader in active transportation. The current ATP Cycle 7 includes about \$568M of available grant funding made up of Federal, State SB1 and State Highway Account (SHA) funding. The funding/programming years include the 25/26, 26/27, 27/28 and 28/29 fiscal years. The ATP accepts applications in three different categories: conventional capital projects; Safe Routes to School projects; and Quick Build projects.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The projects in these grant applications are designed to promote sustainable transportation and climate resilience by improving traffic safety for people walking and riding bicycles. This is consistent with the 2009 Climate Action Plan (Plan) Policy 5.A, which calls for expanding and improving the City’s bicycle and pedestrian infrastructure. The Plan’s target is to reduce transportation emissions 80% below year 2000 levels by 2050. The Plan further states that transportation modes, such as public transit, walking and bicycling, must become the primary means of fulfilling the City’s mobility needs in order to meet these targets.

RATIONALE FOR RECOMMENDATION

The ATP funding allows the City to address traffic safety issues along major transportation corridors and promote environmentally-friendly mobility. The need for the projects in these applications has been identified in the Council-approved 2017 Bicycle Plan (Resolution No. 67,945-N.S.), 2019 Vision Zero Action Plan (Resolution No. 69,324-N.S.) and 2020 Pedestrian Plan (Resolution No. 69,711–N.S). These documents were the result of robust public engagement processes involving members of the public, Transportation Commissioners and numerous stakeholders throughout Berkeley. Not applying would mean foregoing up to \$4,916,000 in potential grant funding and leaving traffic safety issues on these streets unaddressed.

ALTERNATIVE ACTIONS CONSIDERED

The City could choose not to apply for these funds. However, no alternative funding source has been identified to complete these key traffic safety and sustainability projects.

CONTACT PERSON

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Eric Anderson, Principal Planner, 510-981-7062
Dani Dynes, Associate Planner, 510-981-7053

Attachments:

- 1: Resolution - California Active Transportation Program for Southwest Berkeley Bike Boulevards
- 2: Resolution - California Active Transportation Program for Adeline Street Quick-Build
- 3: Resolution - Resolution of Local Support
- 4: Resolution - Application for Funding Assigned to MTC

RESOLUTION NO. ##,###-N.S.

GRANT APPLICATION: ACTIVE TRANSPORTATION PROGRAM FOR SOUTHWEST
BERKELEY BIKE BOULEVARDS

WHEREAS, residents experience difficulty finding safe bicycling routes in the project area; and

WHEREAS, traffic safety were identified in previous planning efforts and new bike boulevards were recommended as part of the 2017 Bike Plan (Resolution no . 67,945-N.S); and

WHEREAS, promoting bicycling and walking as a form of transportation supports the goals of the Berkeley Climate Action Plan and Berkeley Strategic Plan; and

WHEREAS, traffic circles, new signage, roadway stencils, a hybrid-beacon crossing, curb ramps, median refuges, hardened centerlines, and curb extensions are among the potential safety improvement measures proposed in the 2017 Bicycle Plan; and

WHEREAS, California Active Transportation Program statewide component funds can be used for projects that encourage increased use of active modes of transportation such as walking and biking.; and

WHEREAS, the City has identified \$444,500 in matching funds available in FY 2028 from Measure BB Fund 134 (Bicycle and Pedestrian) and Fund 134 (Local Streets and Roads) to complete this project; and

WHEREAS, if awarded, the grant funds will be placed in the City's State Transportation Grants Fund (Fund 344) starting in FY 2026.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that City Manager is authorized to submit a grant application to the California Active Transportation Program for Southwest Berkeley Bike Boulevards safety improvements for the amount of up to \$4 million; and accept the grants if awarded, and execute any resultant agreements and amendments.

RESOLUTION NO. ##,###-N.S.

GRANT APPLICATION: ACTIVE TRANSPORTATION PROGRAM FOR ADELINE STREET QUICK-BUILD

WHEREAS, residents experience difficulty finding safe bicycling routes in the project area and Adeline Street has been identified as a high-injury street for severe and fatal traffic crashes involving pedestrians in the 2020 Berkeley Vision Zero Action Plan (Resolution no 69,324-N.S.) and the 2020 Berkeley Pedestrian Plan (Resolution no 69,711–N.S); and and

WHEREAS, traffic safety issues were identified and low-stress bikeways, including cycle tracks where feasible, were recommended on Adeline Street in the 2017 Berkeley Bike Plan (Resolution no. 67,945-N.S) and the Adeline Corridor Specific Plan (Resolution no.69,642-N.S.); and

WHEREAS, promoting bicycling and walking as a form of transportation supports the goals of the Berkeley Climate Action Plan and Berkeley Strategic Plan; and

WHEREAS, reduced travel lanes, cycle tracks, and shortened pedestrian crossings are among the potential safety improvement measures proposed in the Adeline Corridor Specific Plan (Resolution no. 69,642-N.S.); and

WHEREAS, California Active Transportation Program statewide component funds can be used for projects that encourage increased use of active modes of transportation such as walking and biking; and

WHEREAS, the City of Berkeley has identified \$119,400 in matching funds available in FY 2028 from Measure BB Fund 134 (Bicycle and Pedestrian) and Fund 134 (Local Streets and Roads) to complete this project; and

WHEREAS, if awarded, the grant funds will be placed in the City's State Transportation Grants Fund (Fund 344) starting in FY 2026.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that City Manager is authorized to submit a grant application to the California Active Transportation Program for Adeline Street Quick-Build safety improvements for the amount of up to \$1.05 million; and accept the grants awarded, and execute any resultant agreements and amendments.

Resolution of Local Support

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, CITY OF BERKELEY (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$3,875,045 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, Carbon Reduction Program (CRP) 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 Southwest Berkeley Bike Boulevards (herein referred to as PROJECT) for the ATP Cycle 7 Medium Infrastructure (herein referred to as 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), the Carbon Reduction Program (CRP) (23 U.S.C. § 175), 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, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for 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 PROJECT 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 PROJECT 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 PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT 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 County Transportation Agency (CTA), 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 APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the County Transportation Agency (CTA); and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

WHEREAS, there is no legal impediment to APPLICANT 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 APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; 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 by the Council of the City of Berkeley that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and

BE IT FURTHER RESOLVED that APPLICANT will provide any required matching funds; and

BE IT FURTHER RESOLVED that APPLICANT 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 APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and

BE IT FURTHER RESOLVED that APPLICANT 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 APPLICANT 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 County Transportation Agency (CTA), 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 APPLICANT; and

BE IT FURTHER RESOLVED that 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 APPLICANT has reviewed the PROJECT and has adequate staffing resources to deliver and complete the PROJECT 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, in the case of a transit project, APPLICANT agrees

to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and

BE IT FURTHER RESOLVED that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and

BE IT FURTHER RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the County Transportation Agency (CTA); and

BE IT FURTHER RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and

BE IT FURTHER RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

BE IT FURTHER RESOLVED that there is no legal impediment to APPLICANT 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 APPLICANT to deliver such PROJECT; and

BE IT FURTHER RESOLVED that APPLICANT authorizes its Executive Director, General Manager, City Manager, or 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 a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; 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 PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.

RESOLUTION NO. ##,###-N.S.

AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, CITY OF BERKELEY (herein referred to as APPLICANT) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,041,000 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, Carbon Reduction Program (CRP) 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 Adeline Street Quick-Build (herein referred to as PROJECT) for the ATP Cycle 7 Quick-Build (herein referred to as 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), the Carbon Reduction Program (CRP) (23 U.S.C. § 175), 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

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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, APPLICANT is an eligible sponsor for REGIONAL DISCRETIONARY FUNDING; and

WHEREAS, as part of the application for 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 PROJECT 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 PROJECT 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 PROJECT will have adequate staffing resources to deliver and complete the PROJECT within the schedule submitted with the project application; and
- that the PROJECT will comply with all project-specific requirements as set forth in the PROGRAM; and
- that APPLICANT 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 County Transportation Agency (CTA), 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 APPLICANT; and
- in the case of a transit project, the PROJECT will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region; and
- in the case of a highway project, the PROJECT will comply with MTC Resolution No. 4104, which sets forth MTC's Traffic Operations System (TOS) Policy to install and activate TOS elements on new major freeway projects; and
- in the case of an RTIP project, state law requires PROJECT be included in a local congestion management plan, or be consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the County Transportation Agency (CTA); and

WHEREAS, that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

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WHEREAS, there is no legal impediment to APPLICANT 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 APPLICANT to deliver such PROJECT; and

WHEREAS, APPLICANT authorizes its Executive Director, General Manager, or designee to execute and file an application with MTC for REGIONAL DISCRETIONARY FUNDING for the PROJECT as referenced in this resolution; 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 by the Council of the City of Berkeley that the APPLICANT is authorized to execute and file an application for funding for the PROJECT for REGIONAL DISCRETIONARY FUNDING under the FEDERAL TRANSPORTATION ACT or continued funding; and

BE IT FURTHER RESOLVED that APPLICANT will provide any required matching funds; and

BE IT FURTHER RESOLVED that APPLICANT 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 APPLICANT from other funds, and that APPLICANT does not expect any cost increases to be funded with additional REGIONAL DISCRETIONARY FUNDING; and

BE IT FURTHER RESOLVED that APPLICANT 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 APPLICANT 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 County Transportation Agency (CTA), 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 APPLICANT; and

BE IT FURTHER RESOLVED that 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 APPLICANT has reviewed the PROJECT and has

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adequate staffing resources to deliver and complete the PROJECT 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, in the case of a transit project, APPLICANT agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution No. 3866, revised; and

BE IT FURTHER RESOLVED that, in the case of a highway project, APPLICANT agrees to comply with the requirements of MTC's Traffic Operations System (TOS) Policy as set forth in MTC Resolution No. 4104; and

BE IT FURTHER RESOLVED that, in the case of an RTIP project, PROJECT is included in a local congestion management plan, or is consistent with the capital improvement program adopted pursuant to MTC's funding agreement with the County Transportation Agency (CTA); and

BE IT FURTHER RESOLVED that APPLICANT is an eligible sponsor of REGIONAL DISCRETIONARY FUNDING funded projects; and

BE IT FURTHER RESOLVED that APPLICANT is authorized to submit an application for REGIONAL DISCRETIONARY FUNDING for the PROJECT; and

BE IT FURTHER RESOLVED that there is no legal impediment to APPLICANT 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 APPLICANT to deliver such PROJECT; and

BE IT FURTHER RESOLVED that APPLICANT authorizes its Executive Director, General Manager, City Manager, or 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 a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; 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 PROJECT in MTC's federal TIP upon submittal by the project sponsor for TIP programming.