



Office of the Mayor

Tom Bates
Mayor

CONSENT CALENDAR
December 13, 2005

To: Members of the City Council
From: Mayor Tom Bates
Subject: Ed Roberts Campus Transportation for Livable Communities Grant Application

RECOMMENDATION

Adopt a Resolution modifying resolution number 63-107 N.S. previously adopted by the City Council authorizing the City Manager to submit a grant application to the Alameda County Congestion Management Agency (CMA) Transportation for Livable Communities (TLC) Capital Program, Fiscal Years 2006-09 for funds in the amount up to \$3,000,000 in Fiscal Year 2006-07 for transportation enhancements related to the Ed Roberts Campus at the Ashby BART Station; and accept the grant, and execute any resultant agreements and amendments.

BACKGROUND

On November 15, 2005 the City Council unanimously approved resolution 63-107 N.S. authorizing the City Manager to submit a grant application to the Alameda County Congestion Management Agency (CMA) Transportation for Livable Communities (TLC) Capital Program, Fiscal Years 2006-09 for funds in the amount up to \$3,000,000 in Fiscal Year 2006-07 for transportation enhancements related to the Ed Roberts Campus at the Ashby BART Station; and accept the grant, and execute any resultant agreements and amendments.

Shortly after passage we were informed that language in the prior resolution was insufficient for the CMA. Specifically the CMA requires

CONTACT PERSON

Mayor Tom Bates	Mayor's Office	(510) 981-7100
Councilmember Max Anderson	Council District Three	(510) 981-7130
Councilmember Kriss Worthington	Council District Seven	(510) 981-7170

RESOLUTION NO. – N.S.

AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION FUNDS THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES PROGRAM FOR **TRANSPORTATION ENHANCEMENTS TO ASHBY BART STATION/ED ROBERTS CAMPUS** AND STATING THE ASSURANCE OF THE CITY OF BERKELEY TO COMPLETE THE PROJECT

WHEREAS, the regulations promulgated thereunder, eligible project sponsors wishing to receive federal transportation grants for a project shall submit an application first with the appropriate metropolitan transportation planning organization (MPO) for review and consideration in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, the Metropolitan Transportation Commission is the San Francisco Bay Area's MPO; and

WHEREAS, the City of Berkeley is an eligible project sponsor for federal transportation funds; and

WHEREAS, the City of Berkeley wishes to receive federal transportation funds through CMA's Transportation for Livable Communities (TLC) Program's capital grants for the following project:

The **Transportation Enhancements to Ashby BART Station/Ed Roberts Campus** project, which includes the construction of universally-designed ramps, staircases, elevator, pedestrian pathway and plaza, pedestrian scale lighting, street trees and landscaping, Adeline Street crosswalk and median improvements, and a bus shelter with a transit information kiosk.

WHEREAS, CMA requires a resolution stating the following:

- 1) that the sponsor understands that the federal funding through the TLC program is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded through the TLC program; and
- 2) the assurance of the sponsor to complete the project as described in the application, and, if approved, as programmed in CMA's TIP; and
- 3) that the sponsor understands that funds must be obligated by the obligation deadline for TLC capital projects, or the project may be removed from the program.

NOW, THEREFORE, BE IT RESOLVED by the Berkeley City Council that the City of Berkeley is authorized to proceed with the federal-aid process with Caltrans for TLC funding in the amount of \$3,000,000 for Transportation Enhancements to Ashby BART Station/Ed Roberts Campus; and

BE IT FURTHER RESOLVED that Berkeley City Council by adopting this resolution hereby states that:

- 1) The City of Berkeley understands that the TLC Program funding for the project is fixed at \$7,132,000, and that any cost increases must be funded by the City of Berkeley from local matching funds, and that the City of Berkeley does not expect any cost increases to be funded through the TLC program; and
- 2) The Transportation Enhancements to Ashby BART Station/Ed Roberts Campus project will be built as described in this resolution and submitted application and, if approved, for the amount shown in the Metropolitan Transportation Commission (CMA) Transportation Improvement Program (TIP) with obligation occurring within the timeframe established below; and
- 3) The program funds will be obligated by MTC's obligation deadlines for TLC capital projects.

BE IT FURTHER RESOLVED that a copy of this resolution will be transmitted to CMA.