

CITY OF ALAMEDA RESOLUTION NO. _____

AUTHORIZING THE SUBMISSION OF AN ALLOCATION REQUEST TO METROPOLITAN TRANSPORTATION COMMISSION (MTC), COMMITTING TO COMPLY WITH THE PROVISIONS OF MTC'S REGIONAL MEASURE 3 POLICIES AND PROCEDURES FOR THE WILLIE STARGELL SAFETY IMPROVEMENTS PROJECT

WHEREAS, SB 595 (Chapter 650, Statutes 2017), commonly referred as Regional Measure 3, identified projects eligible to receive funding under the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Metropolitan Transportation Commission (MTC) is responsible for funding projects eligible for Regional Measure 3 funds, pursuant to Streets and Highways Code Section 30914.7(a) and (c); and

WHEREAS, MTC has established a process whereby eligible transportation project sponsors may submit allocation requests for Regional Measure 3 funding; and

WHEREAS, allocation requests to MTC must be submitted consistent with procedures and conditions as outlined in Regional Measure 3 Policies and Procedures (MTC Resolution No. 4404); and

WHEREAS, City of Alameda is an eligible sponsor of transportation project(s) in the Regional Measure 3 Expenditure Plan; and

WHEREAS, the Willie Stargell Safety Improvements Project is eligible for consideration in the Regional Measure 3 Expenditure Plan, as identified in California Streets and Highways Code Section 30914.7(a); and

WHEREAS, the Regional Measure 3 updated Initial Project Report (IPR) and allocation request, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule, budget, expenditure and cash flow plan for which City of Alameda is requesting that MTC allocate Regional Measure 3 funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Alameda that City of Alameda and its agents shall comply with the provisions of the Metropolitan Transportation Commission's Regional Measure 3 Policies and Procedures); and

BE IT FURTHER RESOLVED, that City of Alameda certifies that Willie Stargell Avenue Safety Improvements Project is consistent with the Regional Transportation Plan (RTP); and

BE IT FURTHER RESOLVED, that the year of funding for any design, right-of-way and/or construction phases has taken into consideration the time necessary to obtain environmental clearance and permitting approval for the project; and

BE IT FURTHER RESOLVED, that the Regional Measure 3 phase or segment is fully funded, and results in an operable and useable segment; and

BE IT FURTHER RESOLVED, that City of Alameda approves the allocation request and updated IPR, attached to this resolution; and

BE IT FURTHER RESOLVED, that City of Alameda approves the cash flow plan, attached to this resolution; and

BE IT FURTHER RESOLVED, that City of Alameda has reviewed the project needs and has adequate staffing resources to deliver and complete the project within the schedule set forth in the allocation request and updated IPR, attached to this resolution; and

BE IT FURTHER RESOLVED, that City of Alameda is authorized to submit an allocation request for Regional Measure 3 funds for Willie Stargell Avenue Safety Improvements Project in accordance with California Streets and Highways Code 30914.7(a); and

BE IT FURTHER RESOLVED, that City of Alameda certifies that the projects and purposes for which RM3 funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 15000 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et. seq. and the applicable regulations thereunder; and

BE IT FURTHER RESOLVED, that there is no legal impediment to City of Alameda making allocation requests for Regional Measure 3 funds; and

BE IT FURTHER RESOLVED, that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of City of Alameda to deliver such project; and

BE IT FURTHER RESOLVED, that City of Alameda indemnifies and holds harmless MTC, BATA, and their Commissioners, representatives, agents, and employees from and against all claims, injury, suits, demands, liability, losses, damages, and expenses, whether direct or indirect (including any and all costs and expenses in connection therewith), incurred by reason of any act or failure to act of City of Alameda, its officers, employees or agents, or subcontractors or any of them in connection with its performance of services under this allocation of RM3 funds. City of Alameda agrees at its own cost, expense, and risk, to defend any and all claims, actions, suits, or other legal proceedings brought or instituted against MTC, BATA, and their Commissioners, officers, agents, and employees, or any of them, arising out of such act or omission, and to pay and satisfy any resulting judgments. In addition to any other remedy authorized by law,

so much of the funding due under this allocation of RM3 funds as shall reasonably be considered necessary by MTC may be retained until disposition has been made of any claim for damages, and

BE IT FURTHER RESOLVED, that City of Alameda shall, if any revenues or profits from any non-governmental use of property (or project) that those revenues or profits shall be used exclusively for the public transportation services for which the project was initially approved, either for capital improvements or maintenance and operational costs, otherwise the Metropolitan Transportation Commission is entitled to a proportionate share equal to MTC's percentage participation in the projects(s); and

BE IT FURTHER RESOLVED, that assets purchased with RM3 funds including facilities and equipment shall be used for the public transportation uses intended, and should said facilities and equipment cease to be operated or maintained for their intended public transportation purposes for its useful life, that the Metropolitan Transportation Commission (MTC) shall be entitled to a present day value refund or credit (at MTC's option) based on MTC's share of the Fair Market Value of the said facilities and equipment at the time the public transportation uses ceased, which shall be paid back to MTC in the same proportion that Regional Measure 3 funds were originally used; and

BE IT FURTHER RESOLVED, that City of Alameda shall post on both ends of the construction site(s) at least two signs visible to the public stating that the Project is funded with Regional Measure 3 Toll Revenues; and

BE IT FURTHER RESOLVED, that City of Alameda authorizes its City Manager or his designee to execute and submit an allocation request for the design phase with MTC for Regional Measure 3 funds in the amount of \$200,000, for the project, purposes and amounts included in the allocation request attached to this resolution; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is hereby delegated the authority to make non-substantive changes or minor amendments to the allocation request or IPR as he/she deems appropriate; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the City of Alameda allocation request referenced herein.

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 17th day of March 2026, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this 18th day of March 2026.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda