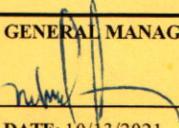
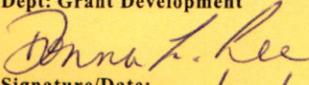
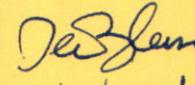
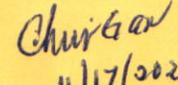
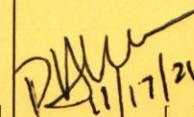




EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL:  11/23/21		GENERAL MANAGER ACTION REQ'D:		
DATE: 10/13/2021		BOARD INITIATED ITEM: No		
Originator/Prepared by: Donna Lee Dept: Grant Development  Signature/Date: 11/17/21	General Counsel  11/17/2021 []	Controller/Treasurer  11/17/2021 []	District Secretary []	BARC  11/17/21 []

Approval of a Resolution of Local Support for an Alameda County Transportation Commission Measure BB Allocation for the 19th Street/Oakland BART Station Modernization Project

PURPOSE: To request that the Board of Directors adopts the required Resolution of Local Support and authorizes the General Manager to execute all required documents for BART to be an eligible recipient for an Alameda County 2022 Comprehensive Investment Plan fund allocation of \$7,650,000 in Measure BB funds. These funds will be used for the 19th Street/Oakland BART Station Modernization Project.

DISCUSSION: Alameda County Transportation Commission's (ACTC) Comprehensive Investment Plan (CIP) is a near-term strategic programming document through which fund sources administered by ACTC are consolidated, programmed, and allocated through a singular programming cycle. The CIP's purpose is to strategically program available funds towards transportation investments that support the vision and goals of ACTC's Countywide Transportation Plan, multi-modal plans, and voter-approved transportation expenditure plans. As part of the biennial CIP update process, the 2022 CIP includes a shift of the five-year programming horizon to recommend fund allocations for the FY 2021-22 through FY 2025-26 period. ACTC requires recipients of Alameda County CIP funds to adopt a Resolution of Local Support.

For the 2022 CIP Allocation Plan, ACTC is allocating \$7,650,000 in Measure BB, county sales tax funds, to the 19th Street/Oakland BART Station Modernization Project. (This project has receive a prior allocation of \$10.0 million in Measure BB funds.) An equal \$7,650,000 match is required for this current allocation of Measure BB funds.

The 19th Street/Oakland BART Station Modernization Project will address state-of-good repair issues. Major upgrades include a new concourse-to-platform elevator for better vertical circulation; new guard rails for safety and improved visibility; taller fare barriers to reduce fare evasion; new, brighter LED lighting for better energy efficiency and visibility; new bicycle facilities; refurbishments and re-opening of public restrooms; and upgrades to station aesthetics.

FISCAL IMPACT: Approval of the Resolution of Local Support is an ACTC requirement for the District to receive a 2022 CIP allocation in the amount of \$7,650,000 in Measure BB funds. BART has already allocated a required, equal match of \$7,650,000 from BART's FY22 Operating to Capital Allocations to the 19th Street/Oakland Station Modernization Project. There is no impact to unprogrammed District Reserves.

ALTERNATIVES: Do not approve the Resolution of Local Support. If the Resolution is not approved, BART will risk the loss of the \$7,650,000 in Measure BB funds and lose the opportunity to perform critical renovation work for the 19th Street/Oakland BART Station Modernization Project.

RECOMMENDATION: Adopt the following motion.

MOTION: The BART Board of Directors approves adoption of the attached Resolution "In the Matter of Approval of a Resolution of Local Support for an Alameda County Transportation Commission Measure BB Allocation for the 19th Street/Oakland BART Station Modernization Project". The BART Board of Directors also authorizes the General Manager to execute all required documents for participation in ACTC 2022 CIP program.

**BEFORE THE BOARD OF DIRECTORS OF THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

In the Matter of the Approval of a
Resolution of Local Support for an
Alameda County Transportation Commission
Measure BB Allocation for the 19th Street/Oakland
BART Station Modernization Project
Resolution No. _____

**A RESOLUTION OF THE GOVERNING BODY OF THE SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT
ACCEPTING FUNDS FROM THE ALAMEDA COUNTY TRANSPORTATION COMMISSION
FOR THE
19TH STREET/OAKLAND BART STATION MODERNIZATION PROJECT**

WHEREAS, Alameda County Transportation Commission (“ALAMEDA CTC”) administers funding programs consisting of 2000 Measure B, 2010 Vehicle Registration Fee, 2014 Measure BB, CMA-TIP, and Transportation Fund for Clean Air Programs for projects and programs that benefit the Alameda County transportation system, and such funding is collectively defined as and shall be referenced herein as the “ALAMEDA CTC ADMINISTERED FUNDS”; and

WHEREAS, SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT (“FUND RECIPIENT”) submitted a funding application to the ALAMEDA COUNTY TRANSPORTATION COMMISSION (“ALAMEDA CTC”) requesting \$7,650,000 funding for 19TH STREET/OAKLAND BART STATION MODERNIZATION PROJECT (“PROJECT”) from the ALAMEDA CTC’s programming and allocation process of ALAMEDA CTC’s administered fund sources; and

WHEREAS, the PROJECT will address state-of-good-repair issues with major upgrades resulting in improved passenger circulation, increased capacity, enhanced passenger experience, reduced fare evasion, and improvements to wayfinding and safety at the station; and

WHEREAS, ALAMEDA CTC awarded \$7,650,000 in ALAMEDA CTC ADMINISTERED FUNDS for the implementation and delivery of the PROJECT to the FUND RECIPIENT; and

WHEREAS, as part of the requirements to receive ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT, ALAMEDA CTC requires a resolution adopted by the responsible funding recipient stating the following:

1. Commitment of FUND RECIPIENT’s matching funds against the awarded ALAMEDA CTC ADMINISTERED FUNDS; and
2. Confirmation of FUND RECIPIENT understanding that the amount of ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT is capped at the amount awarded by ALAMEDA CTC, and therefore any cost increase cannot be expected to be funded with additional ALAMEDA CTC ADMINISTERED FUNDS; and
3. Confirmation FUND RECIPIENT shall complete the project as described in the funding application and the subsequent funding agreement between ALAMEDA CTC and the FUND RECIPIENT; and
4. Confirmation PROJECT will comply with all the project-specific requirements set forth in the ALAMEDA CTC Project Funding Agreement “AGREEMENT”.

NOW, THEREFORE, BE IT RESOLVED that FUND RECIPIENT agrees to accept award of \$7,650,000 in ALAMEDA CTC ADMINISTERED FUNDS; and be it further

RESOLVED that FUND RECIPIENT, by adopting this resolution, does hereby state that:

1. FUND RECIPIENT will provide \$7,650,000 in matching funds consisting of BART-controlled funds or another fund source; and
2. FUND RECIPIENT understands that the amount of ALAMEDA CTC ADMINISTERED FUNDS funding for the project is capped at the amount awarded by ALAMEDA CTC, and that any cost increases will be funded through other means by the FUND RECIPIENT, and will not to be funded with additional ALAMEDA CTC ADMINISTERED FUNDS; and
3. PROJECT will be implemented as described in the APPLICATION, AGREEMENT, and in this resolution; and
4. FUND RECIPIENT and the PROJECT will comply with the requirements as set forth in the AGREEMENT; and therefore, be it further

RESOLVED that there is no pending or threatened litigation that might in any way adversely affect the APPLICANT ability to implement and deliver the proposed PROJECT; and be it further

RESOLVED that FUND RECIPIENT authorizes its General Manager, or designee to execute a funding AGREEMENT with ALAMEDA CTC for ALAMEDA CTC ADMINISTERED FUNDS awarded to the PROJECT as referenced in this resolution; and be it further

RESOLVED that a copy of this resolution will be transmitted to ALAMEDA CTC.

Duly passed and adopted by the BART BOARD of Directors at the governing body meeting held on Thursday, December 2, 2021 in Oakland, California by the following votes:

AYES:

NOES:

ABSTAIN:

ABSENT:

SIGNED:

ATTEST:

Mark Foley
President

Jacqueline R. Edwards
District Secretary