

Office of the City Manager

RECEIVED AT  
COUNCIL MEETING OF:

APR 30 2019

OFFICE OF THE CITY CLERK  
CITY OF BERKELEY

## REVISED AGENDA MATERIAL

**Meeting Date:** April 30, 2019

**Item Number:** 11

**Item Description:** Approving Proposed Projects Anticipated to be Paid for by the State's Road Maintenance and Rehabilitation Account (RMRA) Funds for FY2020

**Supplemental/Revision Submitted By:** Phillip L. Harrington, Director, Department of Public Works

**"Good of the City" Analysis:**

*The analysis below must demonstrate how accepting this supplement/revision is for the "good of the City" and outweighs the lack of time for citizen review or evaluation by the Council.*

On Saturday, April 27, 2019 at 8:59 pm, the California Transportation Commission sent an email to the City requesting that the following changes be made to our original Council Report and Resolution:

- correct the amount the City is estimated to receive for FY 2020,
- correct the annual reporting period and report due date, and
- add the statutorily-required project useful life to each project listed in the Agenda report.

Making these changes ensures that the City will be eligible to receive funding for this program for FY 2020.

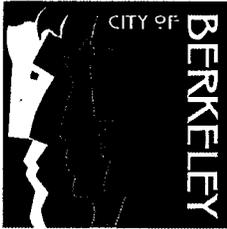
A copy of the updated report and resolution with tracked changes visible is attached, followed by a clean copy with those changes accepted for submittal to the State.

***Consideration of supplemental or revised agenda material is subject to approval by a two-thirds roll call vote of the City Council. (BMC 2.06.070)***

A minimum of **42 copies** must be submitted to the City Clerk for distribution at the Council meeting. This completed cover page must accompany every copy.

Copies of the supplemental/revised agenda material may be delivered to the City Clerk Department by 12:00 p.m. the day of the meeting. Copies that are ready after 12:00 p.m. must be delivered directly to the City Clerk at Council Chambers prior to the start of the meeting.

Supplements or Revisions submitted pursuant to BMC § 2.06.070 may only be revisions of the original report included in the Agenda Packet.



Office of the City Manager

CONSENT CALENDAR

April 30, 2019

To: Honorable Mayor and Members of the City Council  
From: Dee Williams-Ridley, City Manager  
Submitted by: Phillip L. Harrington, Director, Department of Public Works  
Subject: Approving Proposed Projects Anticipated to be Paid for by the State's Road Maintenance and Rehabilitation Account (RMRA) Funds for FY2020

RECOMMENDATION

Adopt a Resolution approving a proposed list of projects that will utilize funding from the State of California's Road Maintenance and Rehabilitation Account, and authorize the City Manager to submit the proposed list to the California Transportation Commission.

FISCAL IMPACTS OF RECOMMENDATION

Based on information provided by CaliforniaCityFinance.com and the League of California Cities, the City of Berkeley can expect to collect an estimated \$2,154,652,017,214 in Road Maintenance and Rehabilitation Account (RMRA) allocated funding in Fiscal Year (FY) 2020. No budgetary action is required at this time. RMRA appropriations will be addressed with the adoption of the FY 2020 Budget.

CURRENT SITUATION AND ITS EFFECTS

California Senate Bill 1 (SB1), signed into law on April 28, 2017, increased certain vehicle fuel and registration taxes and fees, and with those funds has created an RMRA, a portion of which will be distributed to jurisdictions. As SB1 was approved late in the city's FY 2018 – 2019 budget adoption process, prior to full information on reporting requirements, RMRA funds were not included in the biennial budget adoption in June 2017. SB1 will be included in the FY 2020 - 2021 budget scheduled to be approved on June 25, 2019. The California Transportation Commission (CTC) requires jurisdictions to submit documentation annually that RMRA funds were specifically adopted for allowed local streets and roads purposes. In order to receive this funding, the City must annually submit to the State a list of projects anticipated to be completed. For FY 2019, the CTC requires the submission of a list of projects proposed to be funded with RMRA during FY 2020 by May 1, 2019. The adoption of the attached resolution by Council is a CTC requirement for Berkeley's RMRA project list submittal.

BACKGROUND

On April 28, 2017, the Governor signed Road Repair and Accountability Act (SB1) to address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local streets and road system. SB1 provides for the deposit of

various funds for the program in the RMRA, which SB1 created in the State Transportation Fund, including the following:

- Revenues attributable to a \$0.12 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill with an inflation adjustment;
- 50% of a \$0.20 per gallon increase in the diesel excise tax, with an inflation adjustment;
- A portion of a new transportation improvement fee imposed under the Vehicle License Fee Law with a varying fee between \$25 and \$175 based on vehicle value and with an inflation adjustment; and
- A new \$100 annual vehicle registration fee applicable only to zero-emission vehicles model year 2020 and later, with an inflation adjustment.

The fuel excise tax increases took effect on November 1, 2017, the transportation improvement fee took effect on January 1, 2018, and the zero-emission vehicle registration fee takes effect on July 1, 2020.

Similar to the Highway Users Tax Account (HUTA), the Road Maintenance and Rehabilitation Account (RMRA) is continuously appropriated, and apportioned on a monthly basis. There is not a set monthly amount as it is use-based. The first apportionments to the City of Berkeley were received in February 2018.

According to the applicable California Streets and Highways Code, eligible projects "shall be prioritized for expenditure on basic road maintenance and road rehabilitation projects, and on critical safety projects"<sup>1</sup>. There is no use-it-or-lose-it requirement in SB1, so multi-year projects are eligible. Eligible projects include, but are not limited to:

- Road maintenance and rehabilitation
- Safety projects
- Railroad grade separations
- Complete streets components, including active transportation, bike/pedestrian, transit facilities, and stormwater capture projects, in conjunction with an allowable project
- Traffic control devices
- Match for state/federal funds for eligible projects

SB1 requires cities and counties to provide basic project reporting to the CTC annually for projects to be funded through the RMRA. On August 16, 2017, the CTC adopted annual reporting guidelines for this funding. The guidelines require jurisdictions to submit documentation annually to show that RMRA funds were specifically adopted for allowed local streets and roads purposes, and also requires the submission of a list of projects proposed to be funded with RMRA during the fiscal year. The legislation also requires an annual expenditure reporting on work completed during the previous fiscal

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<sup>1</sup> Streets and Highways Code – SHC Division 3. Apportionment And Expenditure Of Highway Funds Chapter 2. Road Maintenance And Rehabilitation Program Section 2030(A)

year to be submitted no later than ~~The annual reporting period runs from November 1st through October 31st.~~

Complete streets improvements such as bike lanes, curb ramps, and pedestrian crossing improvements are allowable uses of RMRA funds. In addition to the previously designated projects listed in Resolution No. 68,395–N.S., staff has selected the FY 2020 Street Rehabilitation projects for use of RMRA funds. The projects are summarized in the following paragraph, and the complete list is provided in the Resolution (Attachment 1).

Pavement reconstruction or rehabilitation as part of the FY 2020 Street Rehabilitation project (20ST01). Selected segments include Cedar Street from 6th Street to San Pablo Avenue (overlay; 10-year useful life), Center Street from Martin Luther King Jr. Way to Milvia Street (overlay; 10-year useful life), Center Street from Milvia Street to Shattuck Avenue (overlay; 10-year useful life), Rose Street from Leroy Avenue to La Loma Avenue (reconstruction; 20-year useful life), Santa Fe Avenue from Gilman Street to Cornell Avenue/ Page Street (overlay; 10-year useful life), Shasta Road from Grizzly Peak Boulevard to Park Gate (reconstruction; 20-year useful life), Shasta Road from Park Gate to east City limit (Golf Course) (reconstruction; 20-year useful life), and Spinnaker Way from Breakwater Drive to Marina Boulevard (reconstruction; 20-year useful life).

Utilization of the RMRA funding will support the City's Strategic Plan goal of creating a resilient, safe, connected, and prepared city and providing state-of-the-art, well maintained infrastructure, amenities, and facilities.

#### ENVIRONMENTAL SUSTAINABILITY

RMRA funds will benefit all modes of transportation by improving road surfaces for bicyclists and transit riders as well as for auto riders, which could result in lessening greenhouse gas emissions.

#### RATIONALE FOR RECOMMENDATION

A project list is required to be adopted by City Council in order for the City to receive RMRA disbursements from the State Controller's office. Staff proposes use of RMRA funds for rehabilitation or reconstruction of local streets as part of the FY 2020 Street Rehabilitation (20ST01). It should be noted that the provided project list is a plan; in the end-of-year reporting on actual spending of RMRA funds, the CTC allows for the completion of projects not included in this list as long as they meet the requirements for RMRA funding.

#### ALTERNATIVE ACTIONS CONSIDERED

No reasonable alternative exists as the City's pavement condition is currently in the low end of the fair index category and is projected to decline, and is in need of continued maintenance and rehabilitation.

#### CONTACT PERSON

Resolution Approving Proposed Projects Anticipated to be Paid for by  
the State's Road Maintenance and Rehabilitation Account (RMRA) Funds  
for Fiscal Year 2020

CONSENT CALENDAR  
April 30, 2019

Phillip L. Harrington, Director, Department of Public Works (510) 981-6303  
Nisha Patel, Manager of Engineering (510) 981-6406

Attachment:  
1: Resolution

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

RESOLUTION APPROVING PROPOSED PROJECTS ANTICIPATED TO BE PAID FOR BY THE STATE'S ROAD AND MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) FUNDS FOR FISCAL YEAR 2020

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must approve by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated ~~\$2,017,2142,154,652~~ in RMRA funding in Fiscal Year 2020 from SB 1; and

WHEREAS, this is the third year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a public process to ensure public input into our community's street priorities and the project list; and

WHEREAS, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will be used by the City for basic street maintenance and rehabilitation, critical safety projects on local roadways, and pedestrian safety and transportation projects throughout the City this year and for similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in the low end of the fair condition category,

and this revenue will help us increase the overall quality of our road system, and improve their bicycle and pedestrian mobility and safety; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide; and

WHEREAS, the following list of proposed projects is anticipated to be funded in-part or solely with Fiscal Year 2020 Road Maintenance and Rehabilitation Account revenues:

#### FY 2020 Street Rehabilitation

- Cedar Street from 6<sup>th</sup> Street to San Pablo Avenue (0.31 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Center Street from Martin Luther King Jr. Way to Milvia Street (0.13 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Center Street from Milvia Street to Shattuck Avenue (0.13 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Rose Street from Le Roy Avenue to La Loma Avenue (0.14 miles) - reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Santa Fe Avenue from Gilman Street to Cornell Avenue/ Page Street (0.27 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Shasta Road from Grizzly Peak Boulevard to Park Gate (0.05 miles) - reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Shasta Road from Park Gate to east City limit (Golf Course) (0.11 miles) - reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in April 2020 and will be completed by October 2020.
- Spinnaker Way from Breakwater Drive to Marina Boulevard (0.28 miles) - reconstruct the street pavement. The work will provide a twenty-year useful life. Construction is to start in June 2020 and will be completed by November 2020.

The following previously proposed and approved projects may utilize fiscal year 2020 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:

#### FY 2018 Street Rehabilitation

- Panoramic Way - For the entire street (Canyon Road to east city limit), approximately 3591 LF (0.68 miles), reconstruct the pavement. This work will provide a twenty-year useful life. Construction is to start in April 2019 and will be completed by May 2020.
- Prospect Street - From University of California at Berkeley Campus to Hillside Avenue, approximately 686 LF (0.13 miles), reconstruct the pavement. This work will provide a twenty-year useful life. Construction is to start in April 2019 and will be completed by May 2020.

#### FY 2019 Street Rehabilitation

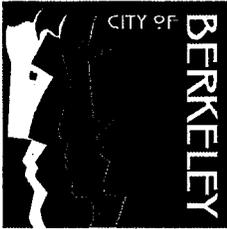
- 6th Street from Allston Way to Dwight Way (0.37 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in May 2019 and will be completed by November 2020.
- Catalina Avenue from Colusa Avenue to The Alameda (0.19 miles) - reconstruct the pavement. The work will provide a twenty-year useful life. Construction is to start in May 2019 and will be completed by November 2020.
- Derby Street from San Pablo Avenue to Mabel Street (0.20 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in May 2019 and will be completed by November 2020.
- Dwight Crescent from 6th Street to 7th Street (0.08 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in May 2019 and will be completed by November 2020.
- Highland Place from Ridge Road to Hearst Avenue (0.07 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in May 2019 and will be completed by November 2020.
- Ridge Road from La Loma Avenue to Highland Place (0.06 miles) - overlay the street pavement. The work will provide a ten-year useful life. Construction is to start in May 2019 and will be completed by November 2020.

- Station Place from Catalina Avenue to the south end (entire street) (0.04 miles) - reconstruct the pavement. The work will provide a twenty-year useful life. Construction is to start in May 2019 and will be completed by November 2020.

#### Shattuck Avenue Reconfiguration Project

- Reconfiguration of a three-block segment of Shattuck Avenue from Allston Way to University Avenue to improve pedestrian and bicycle safety, northbound circulation for motorists and transit vehicles, and the quality of public spaces in the Downtown core. Signals, sidewalks, and other hardware components will have a useful life of thirty years. The paving improvements will provide a twenty-year useful life. Construction started in January 2019 and will be completed by September 2020.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to submit the list of proposed projects to the California Transportation Commission as required by Senate Bill 1, Road Repair and Accountability Act of 2017.



Office of the City Manager

CONSENT CALENDAR

April 30, 2019

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#### RATIONALE FOR RECOMMENDATION

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#### CONTACT PERSON

Phillip L. Harrington, Director, Department of Public Works (510) 981-6303  
Nisha Patel, Manager of Engineering (510) 981-6406

**Attachment:**  
**1: Resolution**

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

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WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City must approve by resolution a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City, will receive an estimated \$2,017,214 in RMRA funding in Fiscal Year 2020 from SB 1; and

WHEREAS, this is the third year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

WHEREAS, the City has undergone a public process to ensure public input into our community's street priorities and the project list; and

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WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in the low end of the fair condition category,

and this revenue will help us increase the overall quality of our road system, and improve their bicycle and pedestrian mobility and safety; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide; and

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NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to submit the list of proposed projects to the California Transportation Commission as required by Senate Bill 1, Road Repair and Accountability Act of 2017.