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 FY2019

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. In order to receive this funding, the City must annually submit to the State a list of projects anticipated to be completed.

FISCAL IMPACTS OF RECOMMENDATION
Based on information provided by CaliforniaCityFinance.com and the League of California Cities, the City of Berkeley is estimated to collect an estimated $2,013,000 in Road Maintenance and Rehabilitation Account (RMRA) allocated funding in Fiscal Year (FY) 2019. No budgetary action is required at this time. RMRA appropriations will be addressed with the adoption of the FY 2019 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. The California Transportation Commission (CTC) requires jurisdictions to submit documentation annually that RMRA funds were specifically adopted for allowed local streets and roads purposes. For FY 2019, the CTC requires the submission of a list of projects proposed to be funded with RMRA during FY 2019 by May 1, 2018. The project list is also to include any FY 2018 projects not yet completed. The adoption of the attached resolution by Council is a CTC requirement for Berkeley’s RMRA project list submittal. Upon approval, staff will then submit the project list (Exhibit A) to the CTC to meet the May 1, 2018 deadline.
BACKGROUND
On April 28, 2017, the Governor signed 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”. 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

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1 Streets and Highways Code – SHC Division 3. Apportionment And Expenditure Of Highway Funds Chapter 2. Road Maintenance And Rehabilitation Program Section 2030(A)
Approving Proposed Projects Anticipated to be Paid for by the State’s CONSENT CALENDAR Road Maintenance and Rehabilitation Account (RMRA) Funds for Fiscal Year 2019

projects proposed to be funded with RMRA during the fiscal year. In October 2018, the City of Berkeley submitted the street reconstruction projects on Panoramic Way (entire street), and Prospect Street from the University of California-Berkeley campus to Hillside Avenue as its FY 2018 projects. These projects are on track for construction this summer. Further, the legislation also requires annual reporting on work completed during the previous fiscal year. The annual reporting period runs from November 1st through October 31st, so FY 2018 reporting will cover expenditures through October 31, 2018.

Complete streets improvements such as bike lanes, curb ramps, and pedestrian crossing improvements are allowable uses of RMRA funds. For the FY 2019 project list submittal to the CTC, in addition to the previously designated project, staff has selected two additional projects for use of RMRA funds. The projects are summarized below, and the list is attached to the Resolution as Exhibit A:

1) Pavement reconstruction or rehabilitation as part of the FY 2019 Street Rehabilitation project (18ST01). Selected segments include Panoramic Way (entire street) and Prospect Street from University of California-Berkeley campus to Hillside Avenue. This project is continued from the FY 2018 SB1 project list submittal.

2) Pavement reconstruction or rehabilitation as part of the FY 2019 Street Rehabilitation project (19ST01). Selected segments include Sixth Street from Allston Way to Dwight Way; Catalina Avenue from Colusa Avenue to The Alameda; Derby Street from San Pablo Avenue to Mabel Street; Dwight Crescent from Sixth to Seventh Street; Highland Place from Ridge Road to Hearst; Ridge from La Loma to Highland; and Station Place (entire street).

3) Paving improvements and bicycle and pedestrian safety improvements as part of the Shattuck Avenue Reconfiguration project (14ST06).

ENVIRONMENTAL SUSTAINABILITY
RMRA funds will benefit all modes of transportation, 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 2018 Street Rehabilitation (18ST01) and FY 2019 Street Rehabilitation (19ST01) projects, and transportation improvements supporting pedestrian and bicycle safety as part of the Shattuck Reconfiguration Project (14ST06). 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 so long as they meet the requirements for RMRA funding.
ALTERNATIVE ACTIONS CONSIDERED
No reasonable alternative exists as the City’s pavement condition is fair and in need of continued maintenance and rehabilitation.

CONTACT PERSON
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Attachments:
1: Resolution
   Exhibit A: Project List
RESOLUTION NO. ##.###-N.S.

APPROVING PROPOSED PROJECTS ANTICIPATED TO BE PAID FOR BY THE STATE’S ROAD AND MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) FUNDS FOR FISCAL YEAR 2019

WHEREAS, on April 28, 2017, the Governor signed Senate Bill 1 (SB1), which is known as the Road Repair and Accountability Act of 2017; and

WHEREAS, the City of Berkeley began receiving funding from this act from in a newly created Road Maintenance and Rehabilitation Account (RMRA) in FY 2018; and

WHEREAS, RMRA funds may be used by the City for basic road maintenance, rehabilitation, critical safety projects on local roadways, pedestrian safety, and transportation projects; and

WHEREAS, SB1 requires cities and counties to provide basic annual RMRA project reporting to the California Transportation Commission (CTC); and

WHEREAS, in order for the City to receive anticipated RMRA funds from the State of California pursuant to SB1 in a given fiscal year, a city or county must annually submit to the CTC a list of projects proposed to be funded with RMRA funds; and

WHEREAS, the list of projects proposed to receive funding must be adopted at a regular public meeting.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the proposed list of street maintenance projects shown in Exhibit A is approved for FY 2019 and the City Manager is authorized to submit to the California Transportation Commission as required by Senate Bill 1, Road Repair and Accountability Act of 2017.
Exhibit A

Road Maintenance and Rehabilitation Account (RMRA)

Planned Project List - FY 2019

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. Work is anticipated to start construction in August 2018 and be completed by April 30, 2019.

- 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. Work is anticipated to start construction in August 2018 and be completed by April 30, 2019.

FY 2018 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 be completed by October 31, 2019.

- 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 be completed by October 31, 2019.

- 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 be completed by October 31, 2019.

- 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 be completed by October 31, 2019.

- 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 be completed by October 31, 2019.

- 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 be completed by October 31, 2019.
• 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 be completed by October 31, 2019.

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 is to start in September 2018 and be completed by March 2020.