

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

79484

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

2005 SEP - 1 AM 11:36



**RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE AND ENTER INTO A COOPERATIVE AGREEMENT WITH THE ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY FOR DESIGN, CONSTRUCTION AND ADMINISTRATION OF THE RAPID BUS PROJECT COMPONENT OF THE EAST BAY SMART CORRIDORS PROGRAM TO PROVIDE FOR TRANSPORTATION IMPROVEMENTS IN OAKLAND WITH AN ESTIMATED VALUE OF NINE MILLION DOLLARS (\$9,000,000.00)**

**WHEREAS**, the East Bay SMART Corridors Program is a cooperative effort by the City of Oakland, Alameda County Congestion Management Agency (CMA), Alameda-Contra Costa Transit Agency (AC Transit), State Department of Transportation (Caltrans) and 21 other agencies to implement a multi-modal advanced transportation management system along various heavily traveled corridors in Alameda and Contra Costa counties; and

**WHEREAS**, the goals of the East Bay SMART Corridors Program are to allow the participating agencies to better manage congestion and incidents along regional routes, improve transportation mobility, efficiency and safety, and to provide timely, multi-modal transportation information to agency transportation managers and to the public; and

**WHEREAS**, the East Bay SMART Corridors Program applies a variety of advanced technologies to improve efficiency of the existing roadway and transit systems, and reduce environmental costs to the public; and

**WHEREAS**, the East Bay SMART Corridors Program meets the Fiscal Year 2005-07 Mayor and City Council Goals and Priorities 1A) Develop a Sustainable City by maximizing socially and environmentally sustainable growth, including conserving natural resources and 2D) Build Community and Foster Livable Neighborhoods by providing for clean, well-maintained and accessible streets and sidewalks; and

**WHEREAS**, the Rapid Bus Project component of the East Bay SMART Corridors Program is the continuation of the efforts to further advance the transportation management solutions in East Bay by implementing Rapid Bus lines for AC Transit along key trunklines; and

**WHEREAS**, the Rapid Bus Project component of the East Bay SMART Corridor Program is intended to improve transit service and encourage transit ridership; and

**WHEREAS**, the City of Oakland and the CMA wish to enter into a Cooperative Agreement for design, construction and administration of the Rapid Bus Project component of the East Bay SMART Corridors Program; and

**WHEREAS**, said Cooperative Agreement designates the CMA to be the party responsible for the design, construction and administration of the project; and

**WHEREAS**, the CMA will pay the City up to \$48,000 for any permit, inspection or similar fees that cannot be waived by the City; and

**WHEREAS**, upon the completion of the project, the City will be the sole owner of all equipment installed in the City's right-of-way as a part of the project; and

**WHEREAS**, the CMA has agreed to explore local, state and federal funding opportunities to defray the operation and maintenance costs to the City and all other participating agencies, and will execute a separate agreement with all participating agencies for this purpose; and

**WHEREAS**, the future operation and maintenance costs that cannot be defrayed by the CMA will be included in the Pubic Works Agency Proposed Budget for those years; now, therefore, be it

**RESOLVED**: That the City Administrator, or her designee, is hereby authorized to negotiate and enter into Cooperative Agreement between the City of Oakland and the Alameda County Congestion Management Agency (CMA) for design, construction and administration of the Rapid Bus Project component of the East Bay SMART Corridors Program; and be it

**FURTHER RESOLVED**: That the City Administrator, or her designee, is hereby authorized to take any and all actions necessary to execute any subsequent amendments to or extensions of said agreement deemed necessary for the successful implementation of the East Bay SMART Corridor Program, with the exception of those related to the allocation of funds, provided that such amendments or extensions shall be approved for form and legality by the City Attorney and a copy shall be kept on file with the City Clerk; and be it

**FURTHER RESOLVED**: That the agreement shall be approved for form and legality by the City Attorney, and a copy shall be kept on file with the City Clerk.

SEP 20 2005

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_


**PASSED BY THE FOLLOWING VOTE:**

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, ~~AND~~ -7  
~~PRESIDENT DE LA FUENTE~~

NOES - ∅

ABSENT - *President De La Fuente - 1*

ABSTENTION - ∅

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, California