

CITY OF OAKLAND
AGENDA REPORT

2009 SEP -3 PM 5: 06

TO: Office of the City Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: September 15, 2009

RE: **Resolution Authorizing The City Administrator , Or His Designee, To Execute An Agreement With AC Transit In The Amount Of One Hundred And Ten Thousand Dollars (\$110,000.00) For City Staff Time Related To The Selection Of A Local Preferred Alternative For The Bus Rapid Transit Project**

SUMMARY

A resolution has been prepared authorizing the City Administrator, or his designee, to execute an agreement with AC Transit to fund City staff time to assist AC Transit in developing the proposed Bus Rapid Transit ("BRT") project. AC Transit ("AC") has agreed to compensate the City of Oakland for approximately \$110,000.00 in staff time devoted to this project from March 2009 through July 2010, in order for the City to choose a Locally Preferred Alternative ("LPA") for design of the BRT project. The agreement is subject to review by the City Attorney.

The City of Oakland must ultimately approve the BRT project in order for it to proceed, and the City has limited funds to devote the significant time required for careful review of the BRT proposal. In recognition of these facts, AC has agreed to set aside a portion of their BRT planning budget to help the City of Oakland fund the staff costs required to review the proposed BRT alignment.

FISCAL IMPACTS

This agreement will provide funding for staff in the Transportation Services Division (TSD) of CEDA to compensate their time in management and review of the BRT proposal through July 2010. This review includes analysis of the many impacts of the BRT project on traffic, parking, and bicycle and pedestrian access.

AC Transit will provide the funding on a reimbursable basis, up to a maximum of \$110,000.00 covering approximately 750 hours of City staff time. Funds will be deposited in Multipurpose Reserve Fund (1750), Transportation Planning Organization (88362), Other Service Charges—Personnel Services Account (45718) Project to be established for the budget year 2009-2010.

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These funds will cover the costs of Transportation Services Division staff, who are primarily involved in reviewing this project. It should be noted that AC Transit is also directly funding a consulting team selected by the City of Oakland to provide additional expertise for analysis of the BRT proposal, and TSD staff is supervising this consulting team as a part of this project.

BACKGROUND

AC is proposing a 17-mile BRT project, largely along Telegraph Avenue and International Boulevard, starting in downtown Berkeley and ending at the San Leandro BART station. This proposal has been the subject of many years of study and planning; most recently AC released a Draft Environmental Impact Statement on the proposed project in 2007. The project is a high regional priority, has funding programmed in Alameda County Measure B, Regional Measure 2 (Bridge Tolls), and is seeking \$75 million in funds from the Federal Transit Administration "Small Starts" program.

The BRT Project will replace the current 1 and 1R bus routes with a BRT system operating largely on exclusive lanes with stops every 1/3 of a mile (approximately 4 blocks). The only portion of the corridor currently planned for non-exclusive (mixed flow) lanes in Oakland is the portion that travels through downtown Oakland.

AC's current schedule assumes completion of a Final Environmental Impact Study/ Environmental Impact Report (FEIS/EIR) in 2009/10, followed by preliminary and final engineering, with construction beginning in 2012 and complete by 2015.

KEY ISSUES AND IMPACTS

City transportation staff must address many issues related to this project, which will have very significant impacts to City streets. This project proposes converting two vehicle lanes (one in each direction) to **exclusive** use by AC buses through much of the route. This exclusive busway will also restrict left turns at approximately half of all intersections along Telegraph and International, and allow only right turn in/right turn out at these streets. City staff must investigate and address issues for AC Transit to resolve, such as: major traffic impacts created by the removal of a vehicle travel lane, prohibition of left turns, mitigation of parking loss, impact on planned bikeways, and impacts on neighborhood commercial districts.

It is anticipated that a draft LPA will be presented to the public in the fall of 2009. Staff will present it to the Planning Commission and the City Council for approval in the spring of 2010.

In the current economic environment, City of Oakland staff does not have the funds to devote the time necessary to fully investigate and review the impacts of AC's BRT project. AC recognizes that these staffing costs need to be covered, and has agreed to compensate the City for its reasonable costs. It is also separately funding transportation consultants to work directly with City staff to provide additional expertise. Selection of an LPA by the City does not constitute

final approval of the BRT project; there will be many additional opportunities for review prior to approval of the project.

PROGRAM DESCRIPTION

AC Transit and the City of Oakland are working together to design a Locally Preferred Alternative for the BRT Project. The process to choose a City of Oakland LPA will include the following steps, many of which are already under way:

- 1) City staff hosts a series of seven intensive meetings investigating the BRT proposal on a block-by-block basis (City and AC staff, consultants)
- 2) City staff and consultants identify significant issues with current proposal
- 3) City's consultants and staff propose design alternatives and/or mitigations
- 4) City staff proposes a draft locally preferred alternative
- 5) City, AC, and consultants present draft LPA to public in series of neighborhood-based meetings
- 6) Draft LPA is revised as necessary
- 7) City of Oakland LPA is presented to Planning Commission and City Council for review and adoption

SUSTAINABLE OPPORTUNITIES

Economic:

This agreement will allow the City of Oakland to be compensated for necessary review time for a major infrastructure project proposed for implementation on City streets. The BRT project will benefit the Oakland economy by increasing transit access along the Telegraph Avenue and International Boulevard corridors.

Environmental:

This agreement will have no direct environmental benefits. The BRT project will increase transit use, and thereby decrease pollution and the generation of greenhouse gases.

Social Equity:

This agreement will have no direct social equity impacts. The BRT project will provide high quality transit services to neighborhoods throughout Oakland.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no direct disability or senior citizen access issues identified by this report. The BRT project will meet all Americans with Disabilities Act (ADA) standards.

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RECOMMENDATION(S) AND RATIONALE

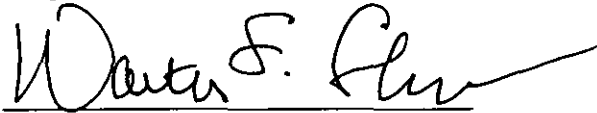
Staff recommends that the City Council approve a resolution authorizing the City Administrator, or his designee, to execute an agreement with AC Transit, to provide funding for city staff costs for completion of a Locally Preferred Alternative for the Bus Rapid Transit project, in an estimated amount of \$110,000.00.

This funding will allow staff to devote the time necessary to evaluate significant issues relating to the proposed BRT project, and to develop solutions potentially acceptable to the citizens of Oakland. If this resolution is not approved, City staff must significantly limit time devoted to this project.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution.

Respectfully submitted,



Walter Cohen, Director

Community & Economic Development Agency

Reviewed by:

Michael J. Neary, P.E.

Deputy Director

Community & Economic Development Agency

Wladimir Wlassowsky, P.E., Manager

Transportation Services Division

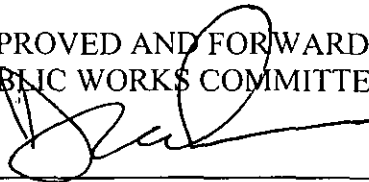
Prepared by:

Bruce Williams,

Senior Transportation Planner

Transportation Services Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



Office of the City Administrator

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FILED
OFFICE OF THE CITY CLERK
OAKLAND

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Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH AC TRANSIT TO FUND APPROXIMATELY ONE HUNDRED AND TEN THOUSAND DOLLARS (\$110,000.00) OF CITY EXPENSES RELATED TO THE SELECTION OF A LOCAL PREFERRED ALTERNATIVE FOR THE BUS RAPID TRANSIT PROJECT

WHEREAS, AC Transit (AC) desires to construct a Bus Rapid Transit (BRT) system through the City of Oakland; and

WHEREAS, AC desires Oakland to endorse a Locally Preferred Alternative (LPA) in order that the project may proceed through to final environmental clearance; and

WHEREAS, the proposed BRT project will have many impacts on City of Oakland facilities that need to be evaluated by City staff before the City can endorse an LPA; and

WHEREAS, City staff has identified approximately \$110,000.00 in staff costs through final selection of an LPA; and

WHEREAS, AC Transit has agreed to reimburse the City of Oakland for costs incurred in review and selection of the project; now, therefore, be it

RESOLVED: That the City Council authorize the City Administrator, or designee, to negotiate and execute an agreement with AC Transit to compensate the City's costs of approximately \$110,000.00 on a cost reimbursable basis; and be it

FURTHER RESOLVED: That these funds will be deposited into Multipurpose Reserve Fund (1750), Transportation Planning Organization (88362), Other Service Charges— Personnel Services Account (45718) for the budget year 2009-2010. New Project numbers will be established; and be it

FURTHER RESOLVED: That the City Administrator, or his designee, is authorized, on behalf of the City of Oakland, to execute and submit all documents, payment requests, and related actions, as well as to appropriate any additional grant funds received for the completion of this project.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California