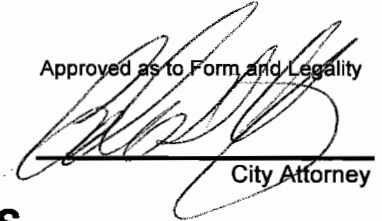


REVISED
7-23-13

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

~~OAKLAND~~ CITY COUNCIL



City Attorney

RESOLUTION No. 84571 C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A OPERATIONS AND MAINTENANCE AGREEMENT WITH THE ALAMEDA-CONTRA COSTA TRANSIT DISTRICT (AC TRANSIT) FOR THE DOWNTOWN OAKLAND TO SAN LEANDRO BUS RAPID TRANSIT PROJECT

WHEREAS, Bus Rapid Transit (BRT) is a mode of transit service provision that has some or all of the following characteristics: Dedicated Travel Lanes; Level Boarding Platforms; Off-Board Fare Collection; and Real-Time Arrival Signs; and

WHEREAS, AC Transit desires to operate the East Bay BRT Project, which includes, but is not limited to, dedicated travel lanes, passenger platforms, ticket vending and validation systems, safety/security systems, public address and passenger information systems, landscaping, traffic signals and street lighting, crosswalk treatments, pedestrian warning signals, sidewalk improvements, and signage.

WHEREAS, On April 25, 2012, the AC Transit Board of Directors adopted Resolution No. 12-018 certifying the Final Environmental Impact Report/Statement (FEIR/FEISS) for the East Bay BRT Project, and selection of the Downtown Oakland-San Leandro Alternative (DOSL) as the Locally Preferred Alternative for the BRT Project, and authorizing the filing of a Notice of Determination; and

WHEREAS, On June 8, 2012 the Federal Transit Administration (FTA) issued a Record of Decision (ROD) approving the East Bay BRT Project, and selection of the Downtown Oakland-San Leandro Alternative (DOSL) as the Locally Preferred Alternative for the Project; and

WHEREAS, The DOSL alternative envisions a 9.5 mile long dedicated bus lane corridor with 8.2 miles and 38 stations located within the geographic boundaries of the City of Oakland; and

WHEREAS, In its action on July 17, 2012, the Oakland City Council adopted as its own the CEQA-related findings of AC Transit for the BRT Project; adopted the DOSL as the Locally Preferred Alternative for the BRT Project; and required that the AC Transit append the City Conditions of Approval to the BRT Project (C.M.S. 84016); and

WHEREAS, the City Conditions of Approval (COA) are not final design, construction and operational standards, but rather a list of issues and requirements that must be fully studied and incorporated during the Implementation and Operation & Maintenance phases of the BRT Project in Oakland; and

WHEREAS, the AC Transit has completed the Preliminary Engineering Phase of the BRT Project; and

WHEREAS, AC Transit made concerted efforts to incorporate the City Conditions of Approval into business and parking impact mitigation plans, construction careers memoranda, and technical drawings, specifications, and reports that it prepared during the Preliminary Engineering Phase of the BRT Project; and

WHEREAS, a Master Cooperative Agreement between the AC Transit and the City will be executed on or before August 1, 2013 that fully delineates all City and District commitments for Final Design and Construction Phases of the BRT Project, including but not limited to, conformance standards for the Oakland Conditions of Approval; and

WHEREAS, a separate Agreement between the AC Transit and the City is necessary to fully delineate all City and District responsibilities for Operations and Maintenance of the BRT Project within the geographic boundaries of the City of Oakland; and

WHEREAS, the Oakland Conditions of Approval requires that the City will incur no net increase in operations and maintenance cost as a result of construction or operation of the BRT Project in Oakland and that the District will compensate the City for any new or increased operations and maintenance costs; and therefore be it

RESOLVED, The Oakland City Council authorizes the City Administrator to enter into a Operations and Maintenance Agreement for the Downtown Oakland to San Leandro Bus Rapid Transit (BRT) Project; and

FURTHER RESOLVED, The Oakland City Council encourages AC Transit to submit the DOSL Project to the Federal Transit Administration for additional funding as needed to finalize design and construct the Project in conformance with the FEIS/ROD and the Oakland Conditions of Approval.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 30 2013

PASSED BY THE FOLLOWING VOTE:

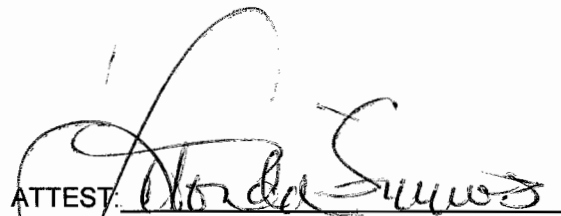
AYES - ~~Brooks~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Brooks - 1

ATTEST: 
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California