
Deputy City Attorney

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OAKLAND

2016 APR 28 PM 6:16

OAKLAND CITY COUNCIL

RESOLUTION NO. 86223 C.M.S.

RESOLUTION APPROVING THE ALAMEDA - CONTRA COSTA COUNTY (AC) TRANSIT DISTRICT'S CONSTRUCTION IMPACT MITIGATION PLAN FOR THE EAST BAY BUS RAPID TRANSIT (BRT) PROJECT PHASE II: INFRASTRUCTURE AND STATION PLATFORM CONSTRUCTION PROGRAM (BID PACKAGE #3) DATED JANUARY 13, 2016, AS APPENDED TO INCLUDE: BRT CORRIDOR - BENEFICIAL USE AND INTERIM OPERATIONS PLAN (APPENDIX F), AC TRANSIT BUSINESS TECHNICAL ASSISTANCE PROGRAM DESCRIPTION (APPENDIX G), AND BRT NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM DESCRIPTION (APPENDIX H), ALL DATED MARCH 10, 2016

WHEREAS, the Alameda-Contra Costa Transit District (AC Transit) desires to design, construct, and operate the East Bay Bus Rapid Transit (BRT) project, which includes, but is not limited to, dedicated travel lanes, passenger platforms, ticket vending and validation systems, safety and security systems, public address and passenger information systems, landscaping, traffic signals and street lighting, crosswalk treatments, pedestrian warning signals, sidewalk improvements, and signage; and

WHEREAS, on April 25, 2012, the AC Transit Board of Directors adopted Resolution No. 12-018 certifying the Final Environmental Impact Report/Statement (FEIR/FEIS) for the BRT Project, and selection of the Downtown Oakland - San Leandro Alternative (DOSL) as the Locally Preferred Alternative for the BRT Project; and

WHEREAS, on July 17, 2012, the Oakland City Council adopted as its own the CEQA-related findings of AC Transit for the East Bay Bus Rapid Transit (BRT) Project; adopted the Locally Preferred Alternative for the BRT Project; and required that the AC Transit append the City Conditions of Approval (COA) to the BRT Project (Resolution No. 84106); and

WHEREAS, Resolution No. 84570 authorized the City Administrator to enter into Master Cooperative Agreement (MCA) with AC Transit for Final Design and Construction of the BRT Project, and the MCA attaches COA Standards to the BRT Project; and

WHEREAS, the COA Standards require that AC Transit submit a draft Construction Impact Mitigation Plan and a corresponding draft Parking Impact Mitigation Plan for the Oakland City Council review on or before the completion of the 65% Design Phase, and return to Council with an update on or before completion of Final Design Phase of the BRT Project; and

WHEREAS, the BRT Project will be constructed in two phases: Phase I which is substantially complete included Advanced Utility Relocations, Fruitvale Bypass, and Off-Street Parking Lot Construction; and Phase II will commence in April 2016 and include approximately \$108 million of Infrastructure and Station Platform Construction (Bid Package 3); and

WHEREAS, on November 18, 2014, the City Council unanimously adopted Resolution No. 85283 approving the BRT Project Business Impact Mitigation Plan for Advanced Utility Relocations (Bid Package 1) and the Parking and BRT Business Impact Mitigation Plans for Fruitvale Bypass and Off-Street Parking Lot Construction in the Fruitvale and Elmhurst Areas of Oakland (Bid Package 2).

WHEREAS, Oakland Public Works approved the 100% plans, specifications, and estimates (PSE) for Bid Package 3 as substantially compliant with local requirements conditional upon completion of special permit requirements. These staff approvals, along with City Council approval of the CIM-p and Parking Impact Mitigation Plan, are required by the Master Cooperative Agreement. These City approvals will allow AC Transit to proceed to obtain the necessary permits and commence major construction within Oakland; and

WHEREAS, The AC Transit Construction Impact Mitigation Plan as appended to include the AC Transit Beneficial Use and Interim Operations Plan, Business Technical Assistance Project, and Neighborhood Traffic Management Plan; the Oakland Business Sustainability Fund; and the Oakland Business Technical Assistance Project when taken together represent a robust BRT – Business Impact Mitigation Plan; and

WHEREAS, Resolution No. 84570 C.M.S. urged AC Transit to consult with and include stakeholder representatives with neighborhood expertise from the Unity Council, Allen Temple, and East Bay Asian Youth Center, and AC Transit subsequently formed a Community Outreach Working Group (COWG) to advise the interagency design team during the Final Design Phase, and the expanded group included the East Bay Asian Local Development Corporation, Downtown Oakland and Uptown Lake Merritt District Associations, OCCUR and Transform;

WHEREAS, AC Transit and City staffers, along with COWG partners, conducted extensive community engagement to inform stakeholders about planned construction and to gather feedback and refine the BRT Project final design and construction impact mitigation plan; now, therefore be it

RESOLVED: That the Oakland City Council hereby approves the Alameda - Contra Costa County (AC) Transit District's Construction Impact Mitigation Plan for the East Bay Bus Rapid Transit (BRT) Project Phase II: Infrastructure and Station Platform Construction Program (Bid Package #3) dated January 13, 2016, as Appended to include: BRT Corridor – Beneficial Use and Interim Operations Plan (Appendix F), AC Transit Business Technical Assistance Program Description (Appendix G), and BRT Neighborhood Traffic Management Program Description (Appendix H), all dated March 10, 2016.

IN COUNCIL, OAKLAND, CALIFORNIA, _____ **JUN 07 2016** _____

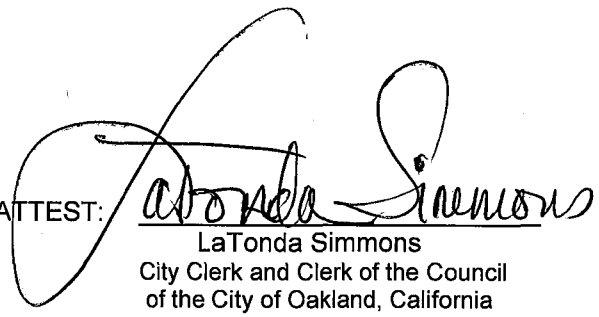
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID, and PRESIDENT GIBSON MCELHANEY - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

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