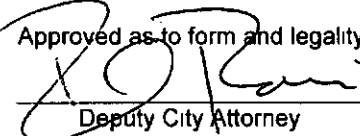


2014 JAN 30 AM 10:01

Approved as to form and legality

Deputy City Attorney

OAKLAND CITY COUNCIL

Resolution No. 84833 C.M.S.

A RESOLUTION AUTHORIZING AND APPROPRIATING A SAFE ROUTES TO TRANSIT GRANT IN AN AMOUNT NOT TO EXCEED \$531,000 TO ALAMEDA BICYCLE TO PAY FOR TENANT IMPROVEMENTS AT THE UPTOWN BART BICYCLE STATION TO BE LOCATED AT 1773-1775 BROADWAY

WHEREAS, on September 17, 2013, pursuant to Resolution No. 84632 C.M.S., the City of Oakland accepted a 2012 Metropolitan Transportation Commission Regional Measure 2 Safe Routes to Transit Grant in the amount of \$531,000 (the "Safe Routes to Transit Grant") to fund capital improvements at a proposed BART Bicycle Station to be located in the Uptown Area of downtown Oakland (the "Uptown Bike Station"); and

WHEREAS, BART and Alameda Bicycle are operating four BART Bike Stations in San Francisco and the East Bay, and desire to develop and manage the Uptown Bike Station at 1773-1775 Broadway near the 19th Street BART Station in downtown Oakland; and

WHEREAS, the City, BART and Alameda Bicycle will enter into agreements governing the construction of capital improvements to and operation of the Uptown Bike Station; and

WHEREAS, the City desires to award the Safe Routes to Transit Grant in an amount not to exceed \$531,000 to Alameda Bicycle to fund capital improvements to the Uptown Bike Station; and

WHEREAS, the City will appropriate and allocate the funding from Metropolitan Transportation Commission Fund 2163, CIP Central District (94889), Third Party: Grant Contracts Earned Account (54912) with a Project that will be determined; and

WHEREAS, the proposed capital improvements to the Uptown Bike Station have been determined to be exempt from the California Environmental Quality Act (CEQA) Guidelines sections 15183 (projects consistent with a general plan); 15301 (existing facilities); 15302 (replacement or reconstruction); and 15061(b)(3) (general rule), each of which provides a separate and independent basis for CEQA clearance and when viewed collectively would provide an overall basis for CEQA clearance; now therefore be it

RESOLVED: That the City hereby authorizes a grant in an amount not to exceed \$531,000 to Alameda Bicycle to fund tenant improvements and other capital improvements to the Uptown Bike Station; and be it further

RESOLVED: That said funding is allocated and appropriated from the Metropolitan Transportation Commission Fund 2163, CIP Central District (94889), Third Party: Grant Contracts Earned Account (54912) with a Project that will be determined; and be it further

RESOLVED: That the City Administrator or her designee is authorized to negotiate and execute a grant agreement and other agreements with Alameda Bicycle for the funding of capital improvements to and operation of the Uptown Bike Station; and be it further

RESOLVED: That the City has independently reviewed and considered this environmental determination, and the City finds and determines that this action complies with CEQA because the installation of capital improvements at the Uptown Bike Station is exempt from CEQA, without limitation, pursuant to CEQA Guidelines sections 15183 (projects consistent with a general plan); 15301 (existing facilities); 15302 (replacement or reconstruction); and 15061(b)(3) (general rule); and be it further

RESOLVED: That the Safe Routes to Transit Grant to Alameda Bicycle will not be subject to the City's 1.5% public art fee as this is not an eligible expense under MTC's Safe Routes to Transit Grant program guidelines, which limits expenditures to bicycle and pedestrian improvements; and be it

RESOLVED: That any and all documents necessary to effectuate the intent of this Resolution shall be reviewed and approved as to form by the City Attorney prior to execution by the City Administrator or her designee; and be it further

RESOLVED: That the City Administrator or her designee is authorized to take whatever action is necessary with respect to the Safe Routes to Transit Grant and improvements to the Uptown Bike Station consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 18 2014

PASSED BY THE FOLLOWING VOTE:


AYES -BROOKS, GALLO, GIBSON-MCELHANEY, KALB, KAPLAN, REID, SCHAAF and
PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:


LaTonda Simmons

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