


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO FINALIZE AND EXECUTE AN AGREEMENT WITH THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) FOR THE CITY TO PROVIDE PARKING ENFORCEMENT SERVICES IN SUPPORT OF THE MTC MANAGED COMMUTER PARKING-AND-RIDE FACILITIES UNDER INTERSTATE-880 AT HIGH STREET AND AT FRUITVALE AVENUE AND ADOPTING APPROPRIATE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

WHEREAS, the State of California, Department of Transportation (Caltrans) has worked closely with the Metropolitan Transportation Commission (MTC), the project sponsor, and the City of Oakland (City) over the past four years on the design and construction of two new park-and-ride commuter parking facilities at I-880/High Street and I-880/Fruitvale Avenue under Interstate-880 (I-880); and

WHEREAS, MTC previously approved \$40 million in funding, which includes \$19 million in federal FAST Act funds, for MTC to deliver a suite of operational, transit and shared mobility improvements such as the commuter parking facilities, to move more people into fewer cars across the San Francisco-Oakland Bay Bridge, and to reduce traffic congestion, transit crowding and greenhouse gas emissions; and

WHEREAS, the MTC project to operate commuter parking facilities at the I-880/High Street and I-880/Fruitvale Avenue interchanges will pilot new interagency coordination, new technologies, and create new opportunities for people to take transit and access shared ride mobility and carpools; and

WHEREAS, MTC and Caltrans entered into a Master Operation and Maintenance Agreement to plan, construct, operate and maintain commuter parking/transit hub facilities within State highway right of way at I-880/High Street and I-880/Fruitvale Avenue in Oakland; and

WHEREAS, MTC developed Commuter Parking Facility Regulations, which were approved by Caltrans for a three-year pilot program; and

WHEREAS, MTC desires to enter into an agreement with the City for the City to provide parking enforcement, citation processing, and administrative review services for parking control at the commuter parking facilities; and

WHEREAS, in 1996 the City Council adopted Oakland's Transit First Policy (Resolution No. 73036 CMS) favoring transit and alternative modes over private vehicles to reduce

congestion and improve air quality, improve safety for people walking and bicycling, decrease parking demand, reduce individual transportation costs, and provide a balanced transportation system that supports many modes, making communities more livable; and

WHEREAS, staff has determined that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 (minor alteration of existing facilities) and 15061 (b)(3) (common sense exemption) because the only potential physical effect on the environment that could foreseeably result from their implementation is a reduction in environmental impacts associated with vehicle traffic including, but not limited to, traffic congestion and greenhouse gas emissions. and

WHEREAS, the City has the capacity without increasing staffing to issue citations and receive fines and penalties collected, handle motorist inquiries, and adjudicate all citation protests and appeals consistent with applicable law and MTC Commuter Parking Facility Regulations; and

WHEREAS, the City will receive all fines and penalties collected, which is expected to off-set the cost of providing the parking enforcement services in support of the MTC pilot program; therefore, be it

RESOLVED, that the City Administrator is authorized to finalize and execute a zero-dollar agreement with MTC to provide parking enforcement and related services at two park-n-ride facilities, located at I-880/High Street and I-880/Fruitvale Avenue, for a term of three years; and be it

FURTHER RESOLVED: That the Council finds and determines that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 (minor alteration of existing facilities) and 15061 (b)(3) (common sense exemption) because the only potential physical effect on the environment that could foreseeably result from their implementation is a reduction in environmental impacts associated with vehicle traffic including, but not limited to, traffic congestion and greenhouse gas emissions, and that **the City Administrator or designee is authorized to file a** Notice of Determination/Notice of Exemption for this project; and be it

FURTHER RESOLVED, that the Agreement will be reviewed for form and legality by the City Attorney and a copy of the Agreement and of this resolution will be placed on file with the City Clerk without returning to Council.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO and PRESIDENT FORTUNATO BAS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
Asha Reed
City Clerk and Clerk of the Council
of the City of Oakland, California